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THE NEW-YORK HISTORICAL SOCIETY QUARTERLY

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THE NEW-YORK HISTORICAL SOCIETY
QUARTERLY

VOLUME XXXV JULY 1951 NUMBER 3

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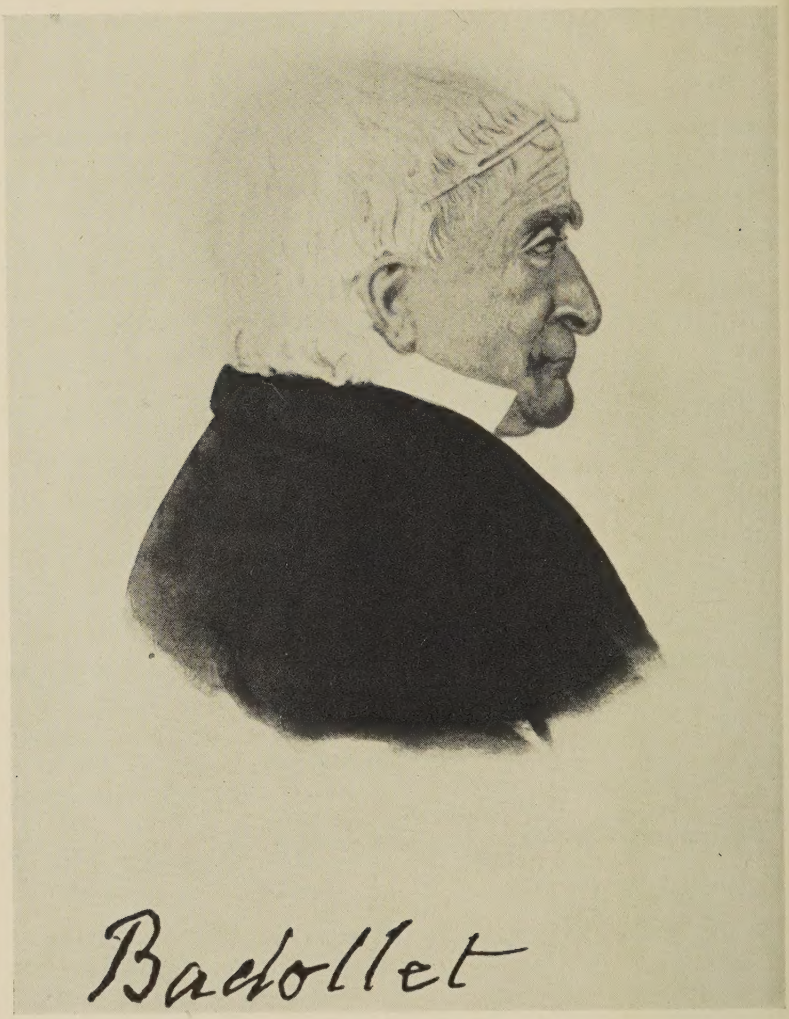

JEAN BADOLLET IN OLD AGE

From a carte-de-visite lithograph inscribed by Albert Gallatin

Gift of Mrs. A. Fitz Roy Anderson, 1951

THE NEW-YORK
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New York: 170 Central Park West

GALLATIN REVISITED · PART TWO

ANGER IN INDIANA: JEAN BADOLLET

by Wayne Andrews, *Curator of Manuscripts*

"On ne sort point de son naturel impunément."
Jean-Jacques Rousseau

ONE MUST be true to one's inner self or pay a dreadful penalty, Rousseau decided, and if he was neither the first nor the last to offer this advice, he was nevertheless one of the most influential propagandists of the doctrine which teaches us never to doubt our instincts. To sneer at this preaching would be ungrateful, for what are lyric poems but the betrayal of a poet's inner self; it is only in the everyday world that we may presume to question the wisdom of Rousseau's thesis.

Unfortunately, millions upon millions of willful men since Rousseau's time have gone down to their graves nursing the happy conviction that violent opinions must be violently expressed, and if they were pressed for an explanation of their point of view, might easily answer that they were bound to be true to

their inner selves. These willful men, as many of us are aware, are to be found on both sides of every political controversy; they are the black reactionaries and they, too, are the illiberal liberals. Whatever their stand, they are positive that right is right, wrong is wrong, and see nothing to be gained in exploring the gray land that lies between good and evil.

One of the most illiberal of American liberals in the early days of our independence was a certain Jean Badollet. A native of Geneva in Switzerland, he was a devoted friend of Albert Gallatin, and the correspondence of the two men, happily preserved in the Gallatin Collection of the Society, is fascinating for its revelation of the storms that such a romantic in politics provoked and endured in the early 19th century. The correspondence is also interesting for its illumination of Albert Gallatin's self-control; as calm as Jean Badollet was excitable, he bore with his old friend to the end.

Settling in the United States in 1784, just four years after Albert Gallatin landed in Massachusetts, Badollet went into partnership with his fellow Genevan in the glass-blowing business at New Geneva, Pennsylvania. He was not a success in business, which was not astonishing, for he was never meant to be a businessman. Nor was he intended to scale the political heights; named Register of the Land Office at Vincennes, Indiana, in 1804, he spent the rest of his life at this obscure post on the frontier. He was, incidentally, horrified by the moral standard of his fellow pioneers. "I have often hinted to you," he once told Gallatin, "that this place exhibits a profligacy of morals not to be met with in no other part of the United States."

One might argue that Badollet lived life to the fullest only when he took pen in hand to write Gallatin exactly what was on his mind; to Gallatin he confessed his high hopes in the French Revolution, his hatred of any and all clergymen, and in later years, his amazement at the tribulations in Indiana of honest men like himself.

Lesser men might admit the necessity of the French Revo-

lution, and yet dread the fury of the Paris mob, but not Jean Badollet. "I look," he wrote Gallatin early in 1792, "upon the acceptation of the French Constitution as the grand cause of liberty gained in Europe. She will reign in spite of the horrid Grins of the *Mightinesses, Highnesses, & Majesties* of the earth." He added, not without a sigh: "I can hardly help deploring that in this our adopted country, true virtue, disinterestedness & genuine public spirit are so seldom to be met with."

When Washington hesitated to throw the nation into war at the side of France, Badollet decided that "our criminal neutrality will bring upon the earth the wrath of an irritated God. . . . Who rule us at this time God knows, but certain it appears, that Aristocracy is taking gigantic strides amongst us."

In France, Badollet reflected, aristocracy had at last met its master in Robespierre. "What is a momentary disorder in a corner of the world," he asked Gallatin at the end of 1793, referring to the yellow fever in Philadelphia, "what is a friend, nay what is our own existence, to the thought-engrossing spectacle of a generous nation struggling against a host of enraged despots, in the agony of despair, forsaken by all the world, having no friends upon earth, no other support but their hatred for tyrants & the powerfull arm of the Almighty God, who I hope will extend it in their favour. And here I cannot help remarking, that amongst the crimes of kings must be ranked their causing nations to corrupt, degenerate, & become contemptible."

Since Badollet was positive that "our so much boasted off federal government was the work of some inimical head, of some marked aristocrats," it is scarcely surprising that he refrained from admiring the accomplishments of Alexander Hamilton. "Ah Hamilton," he cried out in one of his letters to Gallatin, "your fiscal schemes, your aristocratic conduct, your dangerous views, are ill suited to a country that pretends to be or remain free."

But if Badollet detested Hamilton, he did not begin to loathe him with the passion he spent on William Henry Harrison,

whom he suspected of plotting to introduce slavery in Indiana. Strange to say, Badollet's very first impression of Harrison was favorable. "A poisonous reptile, called Darneille of St. Louis, has been this long time traducing the character of Governor Harrison," he reported to Gallatin in 1806. "I consider the Governor as a man of true honor, of an unimpeachable honesty, and an excellent officer."

All of which was forgotten by the time Harrison marched on Tippecanoe. "The Governor wanted to usurp a military name, he has waded in blood to obtain it," Badollet commented to Gallatin. And as the War of 1812 drew nearer, his dislike of Harrison did not diminish. "The Governor, whose military phrenzy last year in the midle of peace converted Vincennes into a camp, is now reduced to the standard of an old woman or something worse," Badollet declared. "He, without taking one *single step* for the general defense, has dwelt upon the grandeur and urgency of the danger, advised wooden walls & to shew the example, has set about picketing his house & taking in as many as he could for *their sake*. . . . Thus my Friend that brilliant meteor in the galaxy of military heroes, who has sung and caused so many sycophantic pens & venal presses to sing his unparalleled military talents, is at last eclipsed behind a wooden fence, and the New Washington has sunk into a pitifull and selfish Sir John Falstaf, not daring to defend those he had exposed, nor to face the enemy he has ostentatiously and wantonly provoked."

Harrison himself admitted that there were limits to his enjoyment of Badollet. "Although," the Governor wrote Gallatin, "he possesses more virtues than are commonly the lot of one man, he is nevertheless extremely irritable & peevish & altho possessed of a sound understanding he is so extremely diffident of himself & so little acquainted with the world that there is not a man on earth more easily duped."

Badollet could not quite agree. "I have attempted to do my duty," he informed Gallatin. "I care little for the consequences. I see daily opened and masked knavery, commanding the good

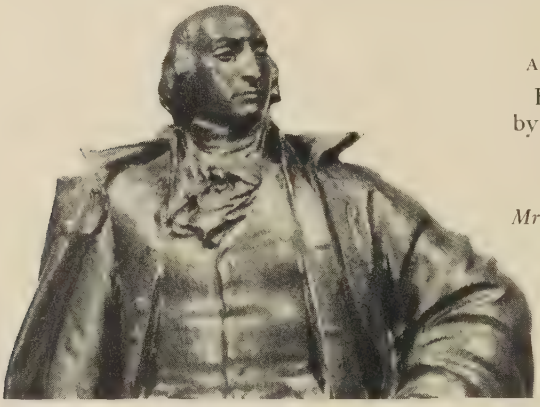
things of this world, and the consideration of the croud. I see self, sordid, interest, the only motive to actions—and I receive the treatment due to guilt."

Fortunately, the moral tone of Indiana was suddenly and splendidly elevated by the visit of Miss Frances Wright to New Harmony. "That remarkable woman," Badollet discovered, "is a deep & fearless thinker, whose writings and lectures will go a great way towards unveiling the audacious schemes of the clergy & opposing a check to the flood of intolerant bigotry which threatens to overwhelm this land. She may," he conceded, "go to far on certain points . . . ," but "there is this difference between her and our sanctimonious teachers, that she does not, like them, hurl us into damnation if we chance to dissent from her."

Gallatin was not quite convinced. "There are," he reminded Badollet, ". . . certain opinions which a woman of sound mind cannot support. She ought not at all events to exhibit herself in a theatrical manner." Whereupon Badollet returned to the defense of the lady reformer. "I trust," he wrote Gallatin in the summer of 1829, "that by this time you are more satisfied with the views of Miss Frances Wright, all directed, as it appears to the dispelling of antiquated prejudices & amelioration of the condition of man & that you became reconciled to the extraordinary part she is acting by the consideration of the philanthropic motives by which she is actuated & the superior intellect she displays. It is perhaps not improper to inquire whether the dissatisfaction we experience at the bold course she pursues is not the result of prejudice & whether such [a] highly gifted female cannot. . . without offending the modesty of her sex, openly utter her opinions in the manner she now does." It was only her talk of free love that Badollet could not comprehend. "I do not admit her ideas on matrimonial union, or to speak more properly, I do not understand her, for the purity of her mind is not to be questioned."

Gallatin could not scold Badollet, for, as he confessed to the moralist of Vincennes, "you have never ceased to be, out of my

own family, my first & almost my only friend." Only once did he venture to suggest that Badollet was too eager for happiness in this world. "As to your squabbles & disappointments, they are matters of course," Gallatin remarked. "At what time, or in what country, did you ever hear that men assumed the privilege of being more honest than the mass of the society in which they lived, without being hated & persecuted?" And he added: "If you have had a share in preventing the establishment of slavery in Indiana, you will have done more good, to that part of the country at least, than commonly falls to the share of man."



ALBERT GALLATIN
Bronze Statuette
by James Earl Fraser
(detail)

Gift of
Mr. R. Horace Gallatin
1947

As visitors to the current exhibit: "Gentleman From Geneva: Albert Gallatin, Jefferson's Secretary of the Treasury," do not need to be told, the already vast Gallatin Collection of the Society, described in "Gallatin Revisited · Part One" in the April 1950 Quarterly, *has been supplemented in recent months by important gifts from five of Albert Gallatin's great-grandchildren, Mr. A. E. Gallatin, Mrs. Charles M. Gay, Mrs. A. Fitz Roy Anderson, Mrs. Henry W. Lanier, and Mrs. Lawrence W. Wright. (See "Recent Accessions" herein and in the* Quarterly *for April 1951.) The donors of these outstanding gifts were honored at a ceremony opening the exhibition (see "Activities of the Society" herein under date of May 8), when President Beekman presented each with a special membership for life.*

THE EARLY LIFE AND WORK OF EZRA AMES

by Theodore Bolton *and* Irwin F. Cortelyou

INTRODUCTION

EZRA AMES of Albany, prominent in his day as a portrait painter, is still remembered because his portraits have a local, a State and, sometimes, a national interest as records. Although he was born at Framingham, Massachusetts, in 1768, he settled at Albany as early as 1793, and lived there until his death in 1836. Except for a few early portraits, none of the pictures he painted before he moved to Albany has been identified, so that practically all his known portraits are of residents of New York State.

Since any portraits painted from life may be regarded either as personal records or as historical documents, and since Ames recorded the likenesses of nearly four hundred of his contemporaries, his portraits, many of which are still extant, constitute important documentary sources for the history of New York State during the early Republican Era. Nevertheless, despite the preponderance of interest in his work because of its historical significance, one should not overlook its solid artistic merits.

The fact that some of his portraits have been confused with the work of Gilbert Stuart, John Wesley Jarvis, John Vanderlyn, and Henry Inman gives an idea of their relative artistic quality. A number of his portraits, such as those of Julius Ames, Harmanus Bleecker, Francis Bloodgood, George Clinton (the version at The New-York Historical Society), General Thomas Humphrey Cushing, Mrs. Cushing, Mrs. Ebenezer Foot, Henry Jones, James Kent (of which there are two versions), William Tully, Henry Newman, John Keyes Paige, Mrs. John Keyes Paige, Marcus Tullius Reynolds, Ambrose Spencer, Theodore Strong, Matthias B. Tallmadge, Robert Temple, Absalom Town-

send, and others, do rank with the work of those artists whose productions generally are of a high artistic excellence. However, although he sometimes reached their heights of artistry, Ames's average is not quite as high as theirs, for, like many of the portrait painters of his time, his purpose was less to produce an artistic result than it was to meet the demand for accurate likenesses—a demand met nowadays by photographers. Ames also frequently made frames for his portraits to meet an additional requirement of his day that portraits with their frames serve as parts of the decorative furnishings of a room.

Besides achieving distinction as a craftsman and portrait painter, Ames became a prominent citizen of Albany, and the story of his life is an interesting part of the history of New York State. He was not only recognized as a portrait painter outside of his district, but he was also honored for over twenty-four years as the Grand High Priest of the Grand Chapter of Royal Arch Masons of the State of New York; and, besides, he was elected president of the Mechanics and Farmers' Bank of Albany after serving for twenty years as one of its directors. His record in all three activities—art, Masonry, and banking—will be included in the following biographical essay. There will also be some account of his forebears and his family. The emphasis, however, will be placed on his activity as a craftsman and as an artist. Obviously, not nearly all of the portraits painted by Ames will be mentioned in the biography; but the separate catalogue of his works will be as complete as the authors can make it.

Ezra Ames belonged to the generation of portrait painters residing in New York State during the first half of the 19th century who managed to compete successfully with the better-trained visiting artists. In his study of "New York Painters Before 1800," Dr. George C. Groce concludes that: "Resident artists fared badly in New York between 1751 and 1800." Among the artists who were unable to live by portrait painting alone and had to supplement their incomes by craft work and other means during the latter part of the 18th century he names Lawrence

Kilburn and Abraham Delanoy of New York City, and Ezra Ames of Albany.

Still referring to the latter part of the 18th century, Dr. Groce continues: "the visiting artist was not unlikely to take New York by storm." Among these visitors were: John Wollaston, the Englishman, who painted over fifty portraits during 1750–1751 alone; John Singleton Copley of Boston who visited New York City, Long Island, and Fishkill during July to December 1771, and earned over three hundred pounds at painting portraits; and Gilbert Stuart who, returning from Europe, landed in New York City in 1793 intending to proceed immediately to Philadelphia, but delayed his departure because he was rushed with orders until late in 1794.

In New England during the 18th century there had been an uninterrupted development of portrait painting from Smibert to Feke, to Copley, and to John Trumbull. In Pennsylvania and Maryland, likewise, a development may be traced, beginning with Engelbert Kühn and Gustavus Hesselius, and extending to John Hesselius and Charles Willson Peale. But in New York State, until 1800, there had been no continuous tradition of painting as there had been in New England, Pennsylvania, and Maryland. After 1800 in New York State, however, a development of portrait painting began which flourished principally in New York City; and of the numerous artists in this movement John Wesley Jarvis, Henry Inman, and Charles Loring Elliott were, successively, the most distinguished. Outside of New York City, Ezra Ames achieved in upper New York State a position of similar importance in this trend.

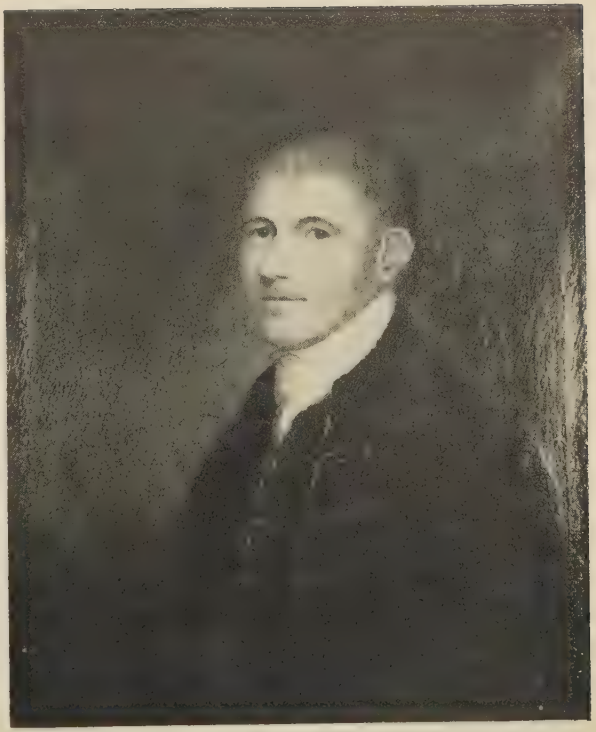
THEODORE BOLTON

EDITOR'S NOTE: The following chapters on the life and work of Ezra Ames, with those to appear in next January's issue of this *Quarterly*, will form the basis of an amply illustrated volume on the artist to be published by the Society next year. The volume will contain, among other features, as complete and as accurate a catalogue of Ames's paintings and drawings as may be possible. The authors will welcome helpful information addressed to them in care of this Society.

MRS. EZEKIEL (SALLY EMES) MULFORD (1773–1861)

By Ezra Ames, brother of the subject, *c.* 1804

On loan at Albany Institute of History and Art
Owned by Miss Edith S. Wade, Ames's great-great-grandniece



JESSE EMES (1739–1829), FATHER OF THE ARTIST

By Ezra Ames, *c.* 1790

On loan at Albany Institute of History and Art
Owned by Miss Mary L. Sutliff, Ames's great-grandniece

FAMILY AND BACKGROUND:

FRAMINGHAM, EAST SUDBURY, 1768–1790

EZRA AMES, portrait painter, was born on May 5, 1768, at Framingham, Massachusetts; and died on February 23, 1836, at Albany, New York. This information is inscribed on the handsome memorial to him, his wife, and two sons, in the Albany Rural Cemetery.

Ezra was the fourth child and third son of Jesse Emes and his first wife, Betty Bent, who married Jesse in 1761.[1] She was born on May 1, 1743,[2] and died on February 14, 1776.[3] She was the daughter of John Bent of Framingham, Massachusetts, and his wife, Betty Read of Sudbury.[4]

Although Ezra's father signed his will "Jesse Emes," and his name is thus spelled on his own and on other gravestones in his family plot at Staatsburg, New York, his name and that of his forebears is frequently recorded as "Eames" and "Emmes," and only rarely as "Ames." Other variations in the spelling of the name are "Eamms," "Eams," "Emms," and "Ems." Ezra himself, early in life, showed a preference for spelling his own name "Ames." Thus, he wrote "Ezra Ames" several times along the front cover and the flyleaf of his first Account Book (1790–1797). Inside the same booklet under the year 1792, he signed his name "Ezra Eames," but when he reverted to his earlier spelling and wrote "Ezra Ames" on the cover of his third Account Book (1804–1834), he never again deviated from this spelling of his name.

Ezra, a fifth-generation American, was descended in a direct line from Thomas Emes, apparently the first of the family in

[1] *MS Ames Family*. [All short-title citations in these footnotes will be described in full in the "Bibliography."]

[2] *Framingham V. R.*, 23; cf. Framingham V. R., 424, for gravestone record giving inferential birth date of "Bettey Eames," Ezra's mother; and *ibid.*, 23, recording the births of two children of John and Betty Bent, named Betty. The first presumably died young.

[3] *Ibid.*, 424.

[4] *Ibid.*, 239.

America, through John, Henry, and Jesse.[5] These men acquired and cleared land, developed homesteads, participated in community activities, and prospered in their small worlds. Ezra, in an urban setting, also acquired property, became a householder, took part in the civic affairs of his adopted city, and achieved fame and fortune in his larger sphere.

Thomas Emes (1618–1680/1), Ezra's great-great-grandfather, who settled in America about 1634, probably came from England.[6] In 1637 he fought in the Pequot Indian War. He was a brickmason. As a young man he lived in Dedham, Massachusetts; then in Medford, and in Cambridge, selling his property early in 1664/5, and moving to Sudbury where he leased "Mr. Pelham's Farm."[7] About 1670, Thomas settled in Framingham,[8] where: "He built his house on the southern slope of Mount Wayte, between the Sudbury river and Farm pond, at a distance of about seven miles S. W. from the ancient town of Sudbury. . . ."[9] He now became a farmer and landholder on a large scale,[10] and his holdings in 1677 are shown on a plan of Framingham Plantation, dated 1699.[11] He was "received as an Inhab. [Inhabitant] of Sherb. [Sherborn] Jan. 4, '74–5, and early chosen a Selectman; was on the Com. [Committee] for building the Meeting House, and received a grant for building the same."[12] In 1676, his farmhouse was attacked by a band of Indians. An inscription on a stone marking the site of this house at Mount Wayte, Framingham, reads: "Here stood the house of Thomas Eames burned by the Indians in King Phillips War Feb. 1, 1675–76. His wife and five children were slain and four carried

[5] Sutliff, 27–32. The name, standardized as "Emes" by Miss Sutliff, is retained in this account of the artist's forebears.

[6] *Ibid.*, 27.

[7] Temple, 531. On an excellent map of Middlesex County, Massachusetts, dated 1857, a "Pelham Pond" is shown in Wayland, which was once part of Sudbury. Because of its name the pond may have been on "Mr. Pelham's Farm" and, if so, this would definitely locate the land which Thomas Emes leased. See: *Middlesex County Map; Wayland V. R.*, Introduction.

[8] Barry, 227.

[9] *Ibid.*, 24.

[10] Temple, 531.

[11] *Framingham Memorial*, frontispiece.

[12] Barry, 227.

into captivity. This Memorial Is Placed by the Descendants A. D. 1890."[13]

One of Thomas's sons who escaped the massacre was John (1642–1733), Ezra's great-grandfather. John, also a brickmason, was born in Dedham, Massachusetts. He settled first at Watertown, and in 1678, at Framingham. He was a selectman of Sherborn in 1682, and of Framingham in 1701.[14] Thomas's grandson, Henry (1698–1761), Ezra's grandfather, was a member of a committee "to provide for the raising of the meeting house" at Framingham in 1735, a selectman of that town in 1740, 1744, and 1753, and a captain of the Framingham Militia in 1757.[15] Thomas and John each had two wives and ten children; Henry, one wife and eleven children; and Jesse, Ezra's father, three wives and nine children.[16]

Ezra's father, Jesse (1739–1829), the son of Henry Emes and his wife Ruth Newton, was born on July 14, 1739, at Framingham,[17] which is incorrectly spelled "Farming" on his gravestone in the Jesse Emes family plot at Staatsburg, New York. Josiah H. Temple, stating that Jesse "l[ived] on the Thomas place in Way [land]" and "came to Fram[ingham] 1764,"[18] lists him with a committee of four, chosen in 1770 to take care of the school houses,[19] and calls him a "captain" and "dentist."[20] Forty-three years later, Jesse in his will, dated March 24, 1813, styles himself a "gentleman."[21]

Answering the alarm of April 19, 1775, the day of the battles of Lexington and Concord,[22] Jesse Emes served as captain of a

[13] Ames, W. S., 167. Mr. John M. Merriam in (1) a letter of April 16, 1951, writes: "There are two markers at the site of the old Eames house on Mount Wayte in Framingham, one placed by the descendants in 1890 and the other by the Tercentenary Commission in 1900." In (2) the *250th Anniversary, Town of Framingham* (1950), p. 11, he writes: "The most beautiful spot included within the Wayte grant was the little hill now known to us as 'Montwait,' a natural beauty spot which has been abused, misnamed and neglected by the later generation."

[14] Temple, 531.

[15] Temple, 531, 532, 197, 421, 222.

[16] *Ibid.*, 27–32.

[17] *MS Ames Family; Framingham V. R.*, 71.

[18] Temple, 533.

[19] *Ibid.*, 256.

[20] *Ibid.*, 533.

[21] *MS Emes, Jesse.*

[22] Temple, 275.

company of twenty-four men from Framingham who marched to Concord and Cambridge,[23] and served ten days.[24] From December 1, 1775, to January 15, 1776, he served as a subaltern in Captain Simon Edgel's company of militia.[25] At the end of this period his name appears on a pay abstract for travel allowance, dated Roxbury, January 14, 1776,[26] which he doubtless used in returning home. His return may have been caused by the illness of his wife. In any event she died a month later, on February 14, 1776,[27] leaving Jesse with six motherless children: Ezra, aged seven, Timothy (1762–1846), Jesse, Jr. (1764–1793), Bette (1766–1778), Polly (1771–1776), and Sally (1773–1861).[28]

On February 23, 1776, nine days after the death of his wife, Jesse Emes was commissioned a first lieutenant.[29] Finally on March 27, 1776, he was commissioned a captain in command of the 6th Company of the 5th Middlesex County Regiment of Massachusetts Militia, under Colonel Samuel Bullard.[30] On December 22, 1776, his daughter Polly died.[31] On February 17, 1777, he resigned from the army,[32] and on April 8, 1777, he married his second wife, Dorotha (Dorothy) Brown of Sturbridge.[33]

Judging from birth dates in the vital records of Wayland, Massachusetts, the family appears to have moved about 1778 from Framingham to that part of Sudbury which became East Sudbury and after 1835 was called Wayland. Ezra's half sisters and half brother are recorded as born there: Bette the second (1778–1825), born two months before the death of Bette the first, but presumably christened later; Polly (or Polle) the second (1781–1829); and Henry (1783–1833).[34] The family seems to

[23] *Ibid.*, 279.
[24] *Mass. Soldiers*, V: 362.
[25] *Ibid.*, 363.
[26] *Ibid.*, 368.
[27] *Framingham V. R.*, 424.
[28] Sutliff, 32. In *MS Ames Family*, Timothy was "still living in 1848," but *Framingham V. R.*, 425, gives the year of death as 1846.
[29] *Mass. Soldiers*, V: 368.
[30] *Ibid.*, 362–3.
[31] Sutliff, 32.
[32] *Mass. Soldiers*, V: 363.
[33] *Framingham V. R.*, 229; cf. also Sutliff, 32, and *MS Ames Family*.
[34] *Wayland V. R.*, Introduction, 20–21, gives birth dates; Sutliff, 32, gives both birth and death dates.

have remained there until they moved to New York State in 1790, because Jesse "Eames" is listed as still living in East Sudbury Town in the first Federal Census of Massachusetts, 1790.[35]

The story is told of Captain Jesse and of a friend, Captain Isaac Russel of Sherborn, Massachusetts, that after Burgoyne's surrender and as they marched homeward through Staatsburg, New York, in charge of some prisoners, "they were so charmed with the country that they decided to remove to it after the war."[36] However, Burgoyne surrendered on October 17, 1777,[37] eight months after Captain Jesse resigned, and no record has been found to show that he rejoined the army.

A different reason for Captain Jesse's move to Staatsburg is given in the account by the anonymous compiler of the unpublished record of the Ames or Emes family. This authority states, darkly, that Captain Jesse removed with his family to Staatsburg "from some freak of obstinacy."[38]

As a matter of fact and for whatever reason, the two captains each bought property on the Hudson River near the village of Staatsburg just above Hyde Park. The transcripts of a mortgage and three deeds on file in the Office of the County Clerk of Dutchess County, Poughkeepsie, New York, are the sources for the history of their land investments.[39] Their property was part of the land once owned by Gertrude Coeymans, née Staats,[40] who sold it to Christian Bergh, from whom it passed to his son John Bergh, and then to Charles Shaw. On August 28, 1790, Charles Shaw and Nicholas Hoffman "of the City of New York Merchants," and Nicholas De Peyster and Miles Sherbrooke, "of the City of New York Gentlemen," sold 65 acres of this property as Lot 1, and 130 acres as Lot 2, to Jesse Emes "of the County of Dutchess, Farmer," for 500 pounds. Then, on April 20, 1791, Charles Shaw and "three others" sold to Isaac Russel, 162 acres of property adjoining that of Jesse Emes for 325 pounds.[41]

[35] U. S. Dept. Comm. & Labor, *Census, 1790, Mass.*, 141.
[36] Smith, 236.
[37] Adams, I, 256.
[38] *MS Ames Family*.
[39] *MS Dutchess County*.
[40] Smith, 234.
[41] *MS Dutchess County*.

EZRA AMES, MINIATURE SELF-PORTRAITS ON IVORY

Left, *c.* 1790 Right, *c.* 1800

Owned by Miss Elizabeth S. Edwards, Ames's great-granddaughter (Photographed by Irwin F. Cortelyou)

On the property of Jesse Emes there was a stone house which had been built by Christian Bergh in 1771.[42] It is not certain just how soon after his purchase of the property on August 28, 1790, Captain Jesse moved his family into this house at Staatsburg. The family was certainly well established there by August 21, 1791, when his daughter Sally, Ezra's sister, was married to Ezekiel Mulford,[43] the youngest son of Captain David Mulford, a neighbor in Staatsburg.[44]

So far no record has been found to show that Ezra Ames accompanied the family on its move to Staatsburg. The earliest established date in the artist's chronology, aside from that of his birth, is May 1790, when he was working as a painter of all sorts at Worcester. He possibly did not see his family at Staatsburg until 1793. The chronicle of the intervening three years, based largely on the artist's Account Book for this period, is the subject of the next chapter.

[42] Smith, 236.
[43] Sutliff, 20.
[44] *Ibid.*, 31.

YOUNG MANHOOD, 1790–1793:
WORCESTER, POUGHKEEPSIE, NEW YORK, ALBANY

WORCESTER, Massachusetts, was the scene, and 1790 was the time, of the artist's earliest recorded activity. This record is found in the first of the artist's three Account Books which together cover, intermittently, the period from 1790 through 1834.* These books and sixteen small Expense Books which cover the period, also intermittently, from 1799 through 1826, constitute the chief sources for his chronology. As records of his work, the Account Books are not complete, for in them the artist does not list a large number of portraits he is known to have painted during the period they cover. Because of these omissions it seems evident that he did not record any work for which he received immediate payment. But he was eventually paid by nearly all his patrons, for he indicates payments received on all but a few of his entries.

On the front wrapper of the earliest Account Book which covers, in unchronological fashion, the period from May 1790 through July 8, 1797, and includes several entries for 1800 and 1802, the artist has inscribed the name of the town "East Sudbury." However, the names of all but two of the first nine patrons listed (the second and seventh) appear in the first Federal Census of 1790 as residents of Worcester Town. The second patron, a "Mr. Buckminster," may be either the Thomas or Lawson Buckminster included under Framingham Town which adjoined East Sudbury Town. The name of the seventh patron, entered as "Seymore," does not appear in the census list for any of these three towns.[1] It seems highly probable that the artist first recorded his craft and artistic work only after he moved to or obtained his first jobs in Worcester.

* For a full description of the Account Books, with a transcript of the entries which refer to paintings, see pp. 15–53 of this volume. *NYHS Quart.*, Jan. 1951.

[1] U. S. Dept. Comm. & Labor, *Census, 1790, Mass.*, 141, 244, 245.

Ames records his first patron under May, 1790, in which month he celebrated his 22d birthday. He notes that for painting Esquire Allen's chaise payment was due him from Joseph Torrey, who was presumably Esquire Allen's agent. Under July and October he notes that Mr. Buckminster owed him for painting three chaises, one of them a "common" chaise. Then the artist records the indebtedness to him of a well-known citizen of Worcester, Stephen Salisbury, who came to Worcester in 1767, built a mansion there in 1772, and a store in 1790—structures still standing on the block bounded by Highland, Lancaster, and Harvard Streets.[2] It is doubtless to one of these that Ames refers in his entry, dated December 4, 1790: "D[ebto]r Step Salisbury To painting a chimney piece / red Seader [cedar] paints & glue 0 6 0." He then notes the painting of a sleigh for Abner Child at 12 shillings; next a sign ordered by Daniel Waldo for which he was to receive a pound and 2 shillings; and then again the painting of a sleigh, this time for Elias Mann.

Under the same date, December 4, 1790, Ames enters his first record as an artist, noting the payments due him on four miniatures, for three of which he charged 18 shillings each, and for one of which he charged a pound. The patrons for these works were the person named Seymore previously mentioned; "Theopelous Whealer," and Joseph Wheeler, both of Worcester; and an unidentified lady named Polly Dixon. There is no trace of these miniatures today.

On the other hand, there are two miniatures and a portrait in oil (by Ames of this period) which have been located but are not recorded in the Account Book. They are family portraits so that there was, obviously, no need to record them. One of them, a dim little miniature of an unidentified girl of the Ames family, is assumed to be the earliest because the least skillfully painted. The second miniature is a self-portrait thought to have been painted about 1790 because of the apparent age of the sitter and also because his costume is of that period. In this miniature, which resembles miniatures by Ramage, the artist represents himself

[2] Sawyer, 65–92.

with a brush poised in his hand before a canvas on an unseen easel to the right. Both of these small likenesses are owned by Miss Elizabeth Seelye Edwards, great-grandaughter of the artist. The oil portrait is a primitive painting, said by the family to represent Jesse Emes, father of the artist. It is owned by Miss Mary L. Sutliff, great-grandniece of the artist, and is on loan at the Albany Institute of History and Art.

For the year 1791 the artist records in his Account Book the painting of only three miniatures, for at this period and, indeed, for years to come, he was far less occupied with portraiture than he was with miscellaneous craft work. One type of small work he mentions for the first time in an entry dated December 1791: "D[ebto]rs Engine company [of Worcester, Mass.] To painting twelve buckets a[t] - 1/4 - is - 0:16:0." Besides painting fire buckets for the town, Ames also mentions the painting for individuals of a few fire buckets which he sometimes "lettered." He may have painted and lettered many more than he recorded, for practically everyone in town was provided with a fire bucket. According to a reference reprinted in the *Albany Chronicles* one learns that at Albany in 1793, the year Ames was to settle in that city, "each house [was] required to hang three buckets in its hallway and attend fires."[3] Conditions were presumably similar in Worcester during 1791.

Ames recorded numerous other types of work for 1791. The decipherable part of the record for that year appears to be: the painting of thirteen signs, three stands of colors, two sleighs, four chaises, three clockfaces, two fences, a sun blind, a looking glass, and a chimney back; the painting and papering of two rooms, and the varnishing of four bedposts, as well as the painting of a floor, a door, a carpet, a wagon, a chest of drawers, two "cherubs," the alphabet, and some flowerpots. He also records "Days Labour" for Benjamin Willard, Nathaniel Patch, and others at five shillings per day.

Ames apparently spent the entire year of 1792 at Worcester, except for three horseback trips which he noted in an Expense

[3] Reynolds, 382.

Book. One of his trips was to Leicester, another was to Lancaster, while the third was to a town the name of which is indecipherable. In his Account Book the artist records payments due him, during 1792, for three miniatures at his customary price of 18 shillings each; and for a "portrait" priced at "1:10:0" which he charged to a Mr. Draper. If by writing the word "portrait" for the first time, instead of the word "miniature," the artist meant to distinguish between a likeness on canvas and one on ivory, then this would be the first portrait in oil recorded by him. That the portrait was *for* Mr. Draper does not necessarily mean that the portrait was *of* Mr. Draper, though it may well have been.

In the same Account Book, and dated "September ye 20 1792," the artist records: "D[ebto]r Thomas Sheppard To painting a Landscape & cyphers on the back and Sides of a chaise—3/." The entry is interesting because it is one of the few references to the painting of landscapes found in the artist's memoranda. A partial list of Ames's other miscellaneous work during the year 1792 includes the painting of signs, stands of colors, window shades, drums, clockfaces, chaises, a piece of hair work, a penknife, the numbering of a meetinghouse pew; and the gilding of a "blaze"—the flame-shaped ornament on top of a banner staff[4]—for "Captain Edgeall," who was possibly the Captain Simon Edgel under whom Ames's father had served during the Revolution.[5]

In the same year the young artist received a delightful and friendly letter from his sister Sally who, it may be recalled, had married Ezekiel Mulford at Staatsburg the year before. The letter, dated August 25, 1792, Clinton, New York, is addressed to "Mr. Ezra Eames in Worcester," whom she entitles "the painter." In it the nineteen-year-old girl complains of poor health due to her "foolishness in trying to please her," doubtless their

[4] Information supplied by Mrs. Katharine M. McClinton. An Account Book entry, dated 1797, is interesting because it itemizes the component parts of a "stand of colours," including the blaze:

Dereck [Dirck] Ten Broeck Dr	
To painting a Stand of Colours	2:16
To—Silk—for Do	1:16
To—fringe	10:6
To—Brass Blaze & ferril [ferrule]	12
To—Staff	5
To—Case	4
	£ 6: 3:6

[5] *Mass. Soldiers*, V: 368.

stepmother, who, she confides, "now Despises me and treats me with Disdane because I got married and left her to[o] Soon to her mind." Both Sally and her husband wish that the artist would make his home at their "house this winter."[6]

Ames did not accept the invitation. He remained, instead, at Worcester, at least until January 17, 1793, for on that day he records the last and only work done at Worcester that year for which payment was due him:

Mr Stephen Harris Dr	
To Painting his Miniature	18/
and a piece of heir work	6
	1.4.0

After this he records no payments due until July 5, 1793, the date of his first entry made at Albany. Because of this blank period, and also because of an advertisement which Ames inserted in the Albany newspapers on August 1, 1793, a journey, recorded in an undated list of expenses more detailed than any other in the artist's Account Books, may be assigned to this year. The trip took him to Poughkeepsie, where he is known to have been in April of that year, then to New York, and at last to Albany. The journey was a momentous one in the artist's life: he left Massachusetts and, at the age of twenty-five, settled permanently in New York State.

Although he does not specify when he went or how long he stayed, his whereabouts he states precisely. The first section of his itinerary reads:

my trunk from the warf up town	1/
for wood	8/
To Shoes	13/
Linine for Majr Livesn	30/6
Honey for Seize [sizing]	/9
1 point of Oyl	1/
making ye Linen for Likn	1/
To making ye frames for Mjr L	5/
Board & washing a fortknight	18/

[6] *MS Ames & Others,* No. 1, August 25, 1792.

from poughkeepsie to Maj[r] Livingstons	2/
En—at vandue	2/
To picture frame	1/6
To Linen ¾ y[d]	2/6
For Maj[r] L. Pictures to y[e] warf	1/6
Board a[t] poughkeepsie	12/

One may infer from this record that, embarking from some still-unidentified riverside town, possibly Staatsburg, Ames took a voyage along the Hudson—in a sloop, during those days before the advent of steamboats; got off at Poughkeepsie, where he remained about a month; and, while there, painted some "pictures" for a certain Major Livingston. This patron might have been Major Henry Livingston, Jr. (1748–1828), whose home called "Locust Grove" was about two miles south of Poughkeepsie Courthouse. The "pictures," now unlocated, were possibly companion portraits of the Major and his second wife-to-be, whom he married in September of that year.[7]

During his sojourn at Poughkeepsie Ames visited a Masonic Lodge. This, the earliest reference to the artist's Masonic activity, one finds in the long and distinguished record of his membership in that fraternal society which has been assembled by Mr. E. T. Reid. The reference reads: "The lodge that made Ezra Ames a Mason can indeed be proud. But long and patient research has so far failed to bring to light the place and the lodge that made him a Mason. We are confident, however, that he was made [a Mason] between 1789 and 1793 because on April 1, 1793, he is recorded in the Minute book, still preserved, as a visitor to the famous old Solomon's Lodge No. 1 of Poughkeepsie, N. Y."[8]

Having finished his painting at Poughkeepsie, Ames boarded a sloop, taking with him the Livingston "pictures," and sailed for New York. His expenses he records as follows:

Passage to N York	10/	Tuseday noon
Maj[r] L. Pictures frieght	6/	
Heir dressings	1/	
Oyl turpintine	1/	
To the theatre	6/	

[7] Thomas, 32, 37, 45, 42.

[8] Reid, 11.

freitage from the warf to my lodgings	1/
heir pow[d]er	1/
Book of knowledge	1/3 [?]
to the Museum	/6
passage to L. Isleand	/6
For Board	1– 4–0
To Washing	0– 2–
To Mattrass bed	0–17–
To Blanket	0– 7–6
To quire of paper	0– 2–
Jug of gin	0– 3–6

From this list of expenses one is able to trace the continuation of the artist's odyssey: disembarking at New York, he paid freight on the Livingston "pictures" and rented lodgings which he furnished with a bed, mattress, and blanket. After he had his hair dressed, he attended the theater, and one may imagine that he went there on the first night of this, presumably his first, visit to the big city. During his sojourn he also visited a museum, and likewise treated himself to a six-penny ferry voyage to Long Island.

One might infer, since he bought a Book of Knowledge, that he began a homestudy course at this time. However, the volume was probably nothing weightier than a small pamphlet by Abraham Weatherwise entitled: *The Book of Knowledge: or, Wheel of Fortune. Shewing The Signification of Moles, and the Interpretation of Dreams. The various and wonderful operations of the Signs & Planets on the Human Body. The Art of Physiognomy & Palmistry.—The Wheel of Fortune, and several Solutions in matters of Love.* The great public need for guidance on these subjects is revealed by the fact that a copy of the book at The New-York Historical Society, dated 1806, is the fifty-fifth edition of the work. Possibly the section on the reading of character by the location of moles on the body led Ames to portray so painstakingly these blemishes on the faces of his sitters.

In view of the fact that Ames was beginning his career as a portrait painter, it is interesting to speculate as to the possibility of his seeing the portraits of Gilbert Stuart. That celebrated

painter had but recently arrived in the city from Ireland, and although one objective of his return to this country was to paint a portrait of George Washington, so rushed was he with orders to paint the prominent citizens of New York that he remained more than a year in that city before he finally left for Philadelphia where he painted Washington's portrait. William Dunlap who visited Stuart's studio at this time writes of it as a fashionable gathering place. He states that in New York, Stuart "opened an attelier in Stone-street near William-street, where all who admired the art or wished to avail themselves of the artist's talents, daily resorted."[9] Although there is no proof, one cannot help wondering: was Ames among those who "admired the art" of portrait painting and who "daily resorted" to the pictorial reception room of Gilbert Stuart?

How long Ames remained in New York City cannot be reckoned precisely. His expense account for board indicates a stay of about a month. After whatever period of time it was, he sailed for Albany. His own undated record reads: "Passage from N. York to Albany," then "passage from Albany to Staats[burg]," and at last "Passage back again." It was doubtless to Albany that Ames returned because, as it has been previously stated, the undated entries relating to his voyage down and up the Hudson fit into his Account Book only during the otherwise unaccounted for time-period between January 17, 1793, Worcester, and July 5, 1793, Albany.

The next reference to the artist in point of time is August 1, 1793, Albany, when Ames inserted an advertisement in the newspapers announcing his advent in that community as an artist and craftsman. In the advertisement, which will presently be quoted in full, the artist enumerated his abilities first as an artist, and then, in detail, as a craftsman. He obviously foresaw a greater demand for his abilities as a craftsman than as a portrait painter. With this public bid for patronage Ezra Ames began life anew at Albany.

[9] Dunlap (1834), II: 229–30.

FIRST DECADE AT ALBANY, 1793–1803:
CRAFT WORK, PORTRAIT PAINTING, MARRIAGE, MASONIC ACTIVITY

WHY DID Ames select Albany as a place in which to settle rather than New York City? Although his motives are not known, one may imagine that he considered Albany an expanding commercial center which would afford more opportunities for his employment, and less competition, than he would find in New York City. The Census of 1790 shows 30,148 free persons and 2,180 slaves in New York City. The directories for 1790 and 1794 show an increase in the number of "householders, persons occupying stores, shops &c," from 4,500 to 9,000,[1] and the city was still the capital of the State.[2]

But Albany was also expanding rapidly. In 1789, four years before Ames arrived there, Albany was a hamlet of about 600 houses "built mostly by trading people on the margin of the river."[3] In 1784 the post office had only just been established.[4] There was no theater until 1785.[5] The streets were not lighted until 1795.[6] Nevertheless, after exploring the navigable rivers, Elkanah Watson, the banker and philanthropist who later became one of Ames's patrons, forecast correctly "that Albany is one of the most favorable positions in America for the future enjoyment of a vast internal commerce."[7]

The passage of the Canal Act in 1792[8] foreshadowed the expansion of Albany as a transportation center; and the establishment of the Bank of Albany in the same year was an indication of the increasing financial prosperity of the citizens. One learns from a contemporary notice that: "Subscription books for the proposed Albany Bank opened at the City Tavern, with deposits of $15 per share, which are over-run in less than three hours."

[1] Scott, *U. S. Gazeteer*.
[2] Adams, IV: 118.
[3] Munsell, I (1850): 314.
[4] Reynolds, 363.
[5] *Ibid*, 365.
[6] *Ibid*, 386.
[7] Watson, 318.
[8] *N. Y. State Laws, 1792*, II: Chapter 40, p. 427.

Of the first directors appointed, Stephen Van Rensselaer, John Maley, James Caldwell, and John Stevenson,[9] became patrons of Ames. The incorporation of another institution in 1792 was the result of a meeting the year before of citizens who each subscribed $25 for the establishment of the Albany Library.[10] Of the trustees, James Van Ingen, treasurer and first librarian, Stephen Van Rensselaer, James Fairlie, and Hunloke Woodruff,[11] were among those who became the artist's patrons.

The next year on February 11, 1793, a constitution was adopted for The Albany Mechanics' Society,[12] of which Ames later became an incorporator and member. Then, also in 1793, The Society for the Promotion of Agriculture, Arts and Manufactures was incorporated.[13] This Society, founded in New York City, moved to Albany in 1800[14] where, in 1804, it was reincorporated as The Society for the Promotion of Useful Arts.[15] Combining with two other organizations in 1900, the Society became the Albany Institute and Historical and Art Society. The name was shortened in 1926 to the Albany Institute of History and Art,[16] which is the present title. In the building of this institution there are today over thirty works of art by Ezra Ames—the largest collection of his pictures so far assembled.

It was, therefore, at a propitious time in the history of Albany that Ames selected this city as a desirable place in which to make his way in the world. He arrived there on, if not before, July 5, 1793, the date alluded to heretofore as the first recorded in his Account Book under the heading of Albany. But this entry and the one which follows are not records of work, but records of the sales of some of the artist's personal belongings. In the entry of July 5th, he charged a Mr. Tiffeny 12 shillings for a pair of "paist knee bukles"; and in the entry of July 9th, he charged the same person 4 shillings for a "Shaving Box." A little later he was to sell more of his small possessions.

[9] *N. Y. State Laws, 1792*, II: Chapter 61, p. 468.
[10] Reynolds., 380.
[11] *N. Y. State Laws, 1792*, II: Chapter 13, p. 391.
[12] Munsell, VII (1856): 240.
[13] *N. Y. State Laws, 1793*, III: Chapter 59, p. 38–39.
[14] Hatch, *Albany Institute*, 316.
[15] *N. Y. State Laws, 1804*, III: Chapter 41, p. 604.
[16] Hatch, *Albany Institute*, 325.

He was obviously low in funds. To remedy this condition he lost no time in calling the attention of the citizens to his abilities. He inserted an advertisement in the Albany newspapers for August 1, 1793:

> In Mark Lane, just below Bloodgood & Follet's store. *Painting*. - Portrait and Sign Painting, Gilding and Limning. The subscriber solicits the patronage of the admirers of the Fine Arts of Painting, Portraits, Miniatures, and Hair Devices. From the encouragement he has already received, he flatters himself of giving general satisfaction. Those who are not satisfied with his performances will not be compelled to have the work when it is finished. Gentlemen and ladies will be waited upon in any part of the city. Signs, Coaches, Chaises, Sleighs, Standards, &c., painted in the best manner. Orders from the country will be received and attended to—and all favors gratefully acknowledged by their humble servant,
>
> EZRA AMES[17]

If one may judge by the artist's Account Book record alone, no "admirers of the Fine Arts" in Albany responded to this ingratiating bid for patronage. That may be why, on September 14th, he sold his penknife with "two blades" for 4 shillings to the Mr. Tiffeny who had already bought the knee buckles and shaving box; and, on September 18th, sacrificed "one Neckless" for 12 shillings and his "Best penknife" for 8 shillings, to a Mr. Quackenbush. He does not record any oil portraits or miniatures until the following year; and, further, there were but few listed patrons who employed him either as a journeyman-painter or a craftsman. Beginning with the next year, however, the tide turned in his favor.

The amount of miscellaneous work for which Ames recorded payment due him during 1794 was quite as large and as surprisingly varied as it was at Worcester during 1791 and 1792. His record includes: the painting of twelve signs, six sleighs, seven buckets, a signboard, a table, a water tub, two chests, some chair curtains, a stand of colors, three window cornices, a bread trough, a tea cannister and chest, and a Masonic apron; the varnishing of six chair bodies, a sulkey, and four timepiece cases; the gilding of a looking-glass frame, a picture frame, and three clock balls; the

[17] Munsell, III (1852): 157–158.

papering of a room (for 8 shillings); and the lettering of some oyster kegs.

As for his portraiture during 1794, he boldly doubled his prices. That they were not deemed excessive is revealed by his record from January through May, 1794. During these months he was called upon to paint a dozen miniatures at 2 pounds each, and two portraits, one of which was undoubtedly in oil because his charge for it was 4 pounds, or twice as much as that for a miniature. To estimate his success as an artist at this time in comparison with his former output and financial return, so far as these are revealed by his own records, it may be pointed out that within the first five months of the year 1794 at Albany the artist had painted as many miniatures at an advanced price as he had painted, all told, during the previous years, from 1790 to 1793, in Worcester; and that for a portrait in oil for a Mr. Glen he had received double his former price.

Of the miniatures he recorded in 1794, two were of very prominent citizens. These miniatures, now unlocated, were of "Mrs. [George] Clinton" and of "his Excel[l]ency," George Clinton, then Governor of the State.[18] This is the first record of work for the Clinton family of whose members Ames was to paint so many portraits. Other miniatures of the same year were for Dr. D. Treat, John Hayke, John Hooker, Mr. Spalding, M. Dewett, and Levi Willard. Mrs. Ya[tes] and Miss Cornelia Yates each ordered two. Ames also listed a portrait for Thomas Diamond and the "Painting & finishing the Drapery of Maj[r] Fairleys Portrait" for Mrs. Fairley.

During the same year the artist recorded his expenses for making five trips. On April 1, 1794, he went to Staatsburg, obviously to see his family; on April 13th, he went to Pittstown, New York, presumably to visit his sister Sally who had recently settled there;[19] on May 4th, he visited Troy; on May 24th, he went to "Sohoes"—meaning Cohoes, a town near Albany; and later in the year he made an extended trip to Massachusetts. The reason for this trip to Massachusetts is indicated in an entry dated March

[18] *DAB*, IV: 227.

[19] Sutliff, 21

6, 1794: "For a locket Miss Z. Wd." This locket, which cost him a pound, was destined for the young woman who was soon to become his wife. After a visit to Boston, in September, he went to Northbridge; and there, on October 6, 1794, he married Zipporah Wood, who had been born at Uxbridge, Massachusetts, April 5, 1775, and was to die at Albany, April 8, 1836, a month and a half after her husband. She was the daughter of Josiah Wood (1732–1815) of Upton, Massachusetts, and Zipporah (Wheelock) Wood, of Mendon, Massachusetts; and the granddaughter of Jonathan and Margaret (Thayer) Wood.[20] Soon after the wedding, Ames and his wife went to Albany to live.

They must have arrived some time before October 25, 1794, because on that day Ames wrote a long letter from Albany to his friend Dr. Hiram Walker of Staatsburg. The letter contains more about its author's state of mind than about his state of affairs. Having announced the fact of his marriage, Ames writes: "I have lately been in New England, where I spent about Four weeks with my friends," among them a Mr. and Mrs. Rice who "send their best regards to you." He reminds his friend Hiram that "you are indebted to me for a letter" but excuses the young doctor because "I am informed that you are in pursuit of a Dulcinea"—a "Laudible" activity which would naturally "engage all your leisure moments." Then, in an outburst of confidence, he gives a humorous account of his own experiences in search of a wife. Writing as if his experiences were Homeric voyages of discovery, he uses such obscure figures of speech that it is often as difficult to chart his course as it would be to trace the precise dimensions of a cloud. The following summary, with quotations taken from the letter, is an attempt to follow him on his metaphorical sea-faring.

During the first of three voyages, and while "Coasting on the Seas of love," Ezra "had Several views of the Land" which were fair to see. But the "rocks of phrenzy" were so "numrous" that he decided not to attempt a landing, consoling himself with the thought that it was difficult for even "the best pilot to escape

[20] *MS Ames Family.*

the whirlpools of passion." He therefore prudently rested on the "Sea of diliberation for Several days." This spirit of procrastination apparently incensed the lady, because the artist then writes that "the wind Shifted to an unfavorable Quarter and Blew up a terible Storme" from which he was rescued only by the kind "hand of providence." Shaken but undismayed he soon "renewed" his "Corrage," set sail on his second voyage, and sighted land for a second time, but a land so dreadful that, deterred by the "horrows of the place," he did not even attempt a landing.

Notwithstanding these disastrous experiences the artist writes: "I could not bear the tho[t] of being an Old Batchelor, nor that of being an henpek[ed] Husband.—Those Ideas was So near[ly] balanced in the Scale of reason than one Ten Thousandth part of a grain would have turned the Scale. However, finding myself unhappy in my present Sittuation, I determined to make myself happy, or Compleat my misery."

He therefore set sail on his third voyage, sighted land, and this time attempted and made a successful landing. He concludes his letter with a comparison between the third discovery and the other two: "I soon came in sight of land which appeared agreeably diversified with hills and vallies, though not so ravishing as at first, nor miserably wreathed as the Second discovery.—I was determined to land at all events, which [I] effected without much difficulty. What I have discovered Since I have been there will remain forever concield with me.—All I shall Say upon the Subject is! that I am happy at present, and have no desire to return to the Land of Celibacy."[21]

A year after the writing of this letter, sometime in 1795, a child was born to the Ames couple. The child, named Lucretia, died in infancy.[22] In the meanwhile, Ames had transferred his Masonic interests to his adopted community, and started on his distinguished career in Masonry.

Concerning the beginnings of the artist's rise to prominence as a Freemason in Albany, Mr. E. T. Reid writes that Ames "was

[21] *MS Ames and Others*, No. 1, October 25, 1794.

[22] *MS Ames Family*.

admitted a member on December 30, 1794, of Union Lodge No. 1, now Mr. Vernon Lodge No. 3. He withdrew from this lodge on November 17, 1795, apparently for the purpose of helping to found Temple Lodge No. 53 (now No. 14) of which he was a Charter member. This lodge was duly organized in 1796. The petition for this lodge was endorsed by Masters Lodge No. 2 (now No. 5)."

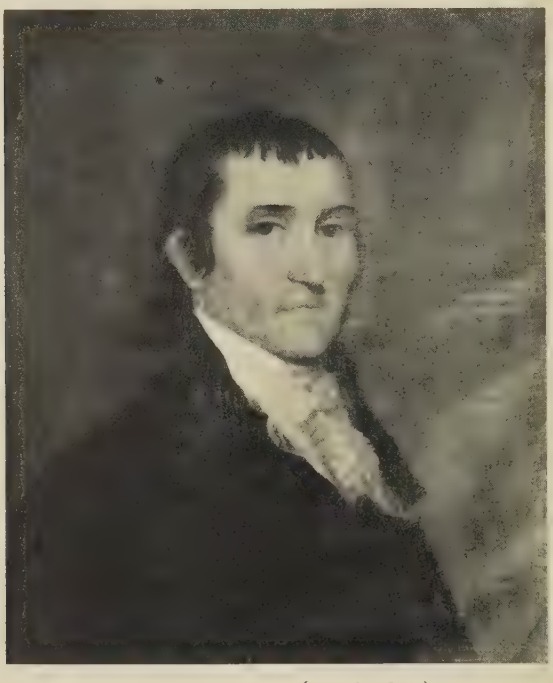
The next year he took the first of the degrees which led him at last to one of the most exalted positions in Freemasonry. "Now for the first time," Mr. E. T. Reid writes, "we can state positively where and when he received a degree of Masonry. From the minute book of the Temple Chapter No. 5, of Albany, N. Y., we find that he was received and acknowledged a Most Excellent Master on February 14, 1797. After the Lodge of Most Excellent Masters was closed, a Chapter was opened and he was exalted a Royal Arch Mason on the same day. Immediately he became active in the Royal Arch and served Temple Chapter as Principal Sojourner in 1797."[23]

The artist's admission into Union Lodge in 1794 marks the beginning of what became his extensive employment (which was to reach its peak in 1800) as a painter of Masonic regalia and engraver of Masonic medals and certificates. Just two days after his induction, Ames specifies the following Masonic work in his Account Book: "Cap^{t} Moullen D[ebto]^{r} January y^{e} 1—1795 To painting a Carpet for Pittstown Lodge—:7:4." The record of his other miscellaneous work for the year 1795 is small and contains no unusual items.

On the other hand, his record of miscellaneous work for the years 1796–1797 is large and varied. Besides the painting of five Masonic aprons, the engraving of two Masonic certificates (at 36 shillings), and entries for other usual types of his craft work, one finds in his Account Book the mention of such unfamiliar employments as "paintin Sunders hear devices," one of them for a ring (at 3 shillings); the painting of a few "mourning pieces" (at 24 shillings each), a fanlight, a watering pot, and a trumpet; the

[23] Reid, 11.

lettering of a "border for a rug"; the making, painting, and gilding of a tin chandelier; and the lettering of a sloop for which he charged a Mr. Guest 3 shillings. In contrast, his recorded art work for the years 1795–1797 includes the painting of only five



ELIHU PHINNEY (1756–1813)
By Ezra Ames, 1799
(Dated by Ames's NYHS Account Book)
Owned by Mrs. Alexander S. Phinney

miniatures: one each for Francis Follet, Mrs. Samuel Hawkins, Hezekiah Sharliff, James Rogers, and a miniature and hair work as well as a portrait, presumably in oil, for a Mr. Ellis—all unlocated.

During these years one finds numerous entries in his Account Book showing that to increase his income he sold artists' materials, picture frames, pictures, and prints. The picture frames he

apparently either made himself and gilded, or bought ready-made for gilding. As for the many "pictures" and "mezzitints prints" which he recorded, these he sold at so low a price that one may surmise that they were not his original work but rather prints which, since there are no known prints by Ames, were the work of other men. Thus in an entry dated May 19, 1796, Ames records the sale of "2 pictures Solomon's Temple & City Jerusalem" for a pound and 12 shillings to William James.

William James (1771–1832), the debtor for these pictures, was an Irishman who arrived at Albany in 1793, the same year that Ames moved there; established himself as a merchant; and in time, became the second-wealthiest man in the State, the first being John Jacob Astor.[24] That James was a friend as well as a customer of Ames is indicated by an entry appearing in the Account Book on the day following James's purchase of the two prints. On May 20, 1796, the artist, coupling his name with that of the merchant apparently because the rhyme pleased him, notes that "Mr James to Ezra Ames" is debtor to the amount of 8 shillings for Ames's "Painting a Sign," and to a similar amount for "lettering his Store."

Years later a son of William James was to marry the daughter of Ezra Ames. The daughter, and second child born to the Ames couple, named Marcia Lucretia, was born in 1798 and died in 1886, according to the gravestone in the James family plot at the Albany Rural Cemetery. Mrs. Russel Hastings, in her monograph on the James family, gives Marcia's birth date as "August 2, 1797, about"; and the date of her death as March 2, 1886. In 1824 Marcia Lucretia Ames married the Reverend William James (1797–1868),[25] a twin son of the elder William by his first wife.[26] It is interesting to note, in passing, that Henry James (1811–1882), the son of William James the elder (1771–1832) by his third wife,[27] was to become the father of Henry James the novelist and of William James the philosopher.[28]

[24] Matthiessen, 4.
[25] Hastings, 108.
[26] *Ibid.*, 104.
[27] *Ibid.*, 106.
[28] *Ibid.*, 112–113.

During the years of 1798–1800 Ames made a number of entries in his second Account Book recording his work for his fellow Masons. Thus, on May 12, 1798, he charged Thomas Smith Webb, " who is supposed to be the father of American Rite in Masonry,"[29] $1.50 for "painting and varnishing a harpsichord." Other references to Ames's work for his Masonic brethern during these years are:

[May 20, 1798]	M[r] John Eames of Whitestown D[ebto][r]	
	To 1 Masonic Sattan apron R A	$ 4
May 20, 1798	To engraving a M[ar][k] Meddel	$ 2
Dec 23 [1799]	Elihu Phinney Esq[r][30] D[ebto][r]	
	To Painting his portrait	$15
	To a Frame for d[itt]o— & box	2
May 3, [1800]	Elijah H. Metcalf 1—medal Gi[lt]	
	Otsego M[aste][r] M[ar][k] Lodge N° 5	
[June] 17, [1800]	Doc[t] [Jonathan] Eights D[ebto][r]	
	To a Masonic apron	14/
[June] 27, [1800]	To Gilt Masonic Meddel	1:16

During the year 1798, Ames also recorded the painting and gilding of two sloop heads, one at a price which he omitted to mention, for a Captain Height, and the other for a Captain Donneley, for which he charged $3.50; and the painting of a still-unidentified miniature for John M. Dole.

A large amount of engraving was recorded by Ames during 1798–1800 for a Mr. J. Macauly who may have been the John Macauly listed in the earliest Albany Directories, 1813–1815, as an artist living at No. 1, Beaver Street. The work consisted of the ornamenting and engraving of "cyphers," probably meaning initials or monograms, on sixty or more spoons, about nine rings, three pairs of sugar tongs, seven whips, a few sleeve buttons and clasps, a snuffbox, a watch key, a needle case, and some Masonic jewels.

During this time Ames was also employed by N. B. Bassett, who is listed as a watchmaker in the Albany Directory for 1815.

[29] Reid, 10.

[30] Elihu Phinney was First Master, Otsego Lodge, Cooperstown.—*Idem.* The portrait of Elihu Phinney reproduced here, from a photograph furnished by Miss Janet R. MacFarlane, is doubtless the portrait mentioned in the entry.

For him, in entries extending from March 1799 through January 1800, Ames recorded the ornamenting of two clockfaces, the painting of two others, and the lettering of another two; the engraving of about sixty spoons, and a few sleeve buttons and clasps. By 1802, N. B. Bassett had become partner in the firm of Bassett and Warford, and for this partnership Ames lettered three clockfaces, at 2 shillings each, during that year.

Unusual items in his repertoire during 1798–1800 were the painting of a chequerboard, the engraving of a brass knocker, the "gilding a Cross & letters I H S," and the "Shadeing of a weather vain." Of his usual items during the same period, he painted about thirty signs, ranging in price from 50 cents to $15. Thereafter he was less and less occupied as a craftsman and job painter.

During 1799–1801 he also added to his income by renting one of his rooms and taking in boarders. Under the date of January 21, 1799, he noted in the earliest of his Expense Books that he charged "M^{ssrs} Warner & Forbs," $18.50 for a bed, a bedstead, and table. Mr. Warner stayed for a short time only; but Mr. Forbs, except during the summer months, remained several years. He paid an average rate of $14 a month until a certain "M^{r} Ennis came to board," on March 1, 1800, when Mr. Forbs's rent dropped to $9, Mr. Ennis paying $10 a month, possibly because the two men shared a room. Although Mr. Ennis left after a five-months stay, he is heard of once more when he presented an account to Ames on January 29, 1801, for "monies" belonging to their Masonic Chapter paid him by Brothers Crocker, Macauley (also spelled Macauly), Bunnel, and Penniman.[31] The less transient Mr. Forbs remained with the Ames family into 1801.

The artist's shop and presumably his studio during the first half-dozen years of his residence in Albany were on Mark Lane. In *The Albany Register*, of November 25, November 29, and December 10, 1799, he announced his removal from Mark Lane to Washington Street, in an advertisement which reads as follows:

[31] *MS Ames and Others*, No. II, January 29, 1801.

Painting and Engraving. The subscriber begs leave to inform his friends and the public, that he has removed his shop from Mark-Lane, to Washington-Street, at the sign of Raphael's bust, and solicits the patronage of the admirers of the fine arts.

The painting of Portraits, Miniatures, Hair Devices, Standards, &c. will be executed in the most elegant taste and style—also Freemasons aprons, sashes, and ornamental paintings in general, done in the best manner, and on the most reasonable terms.

Seals, M[ar]k. M[aste]r. Mason's Medals, &c. engraved neatly and elegantly.

Orders from the country will be punctually attended to: and all favours gratefully acknowledged, by the public's humble servant.

EZRA AMES

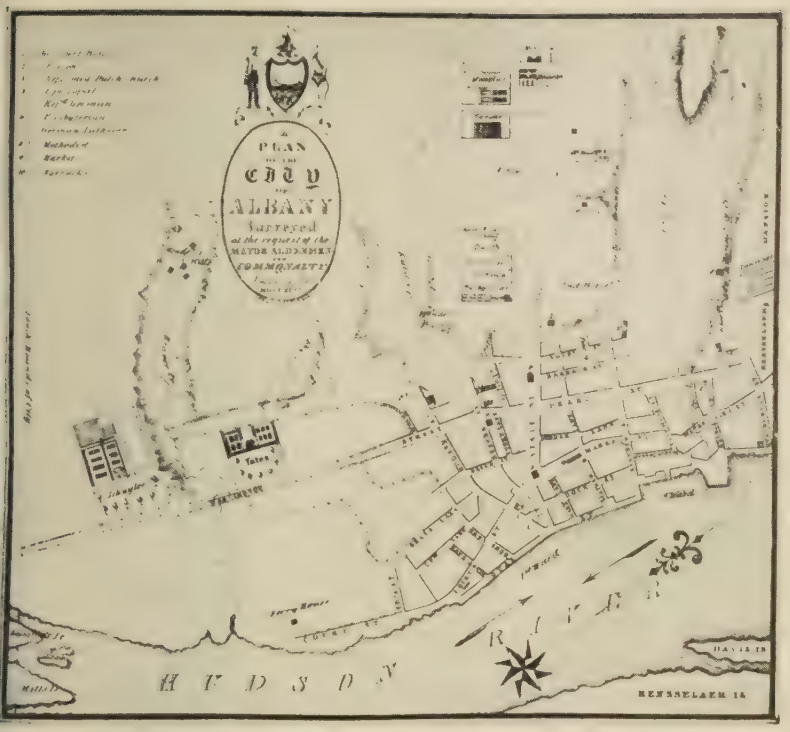
Albany, Nov. 25, 1799.

Some of his "hair devices" and "ornamental paintings" were possibly based on designs in a volume of plates entitled *New & Allegorical Devices for Artists in General & Particularly for Jewelers and Enamel Painters*, engraved by Garnett Terry, and issued in 1795. Ames's copy of this book is now at the Albany Institute.

As for his new address, it is not known if the house on Washington Street, marked by the "Sign of Raphael's Bust," into which Ames moved his shop in 1799, was number 41 Washington Street, listed as the address of Ezra Ames in the first Albany Directory, dated 1813.[32] On the other hand it is definitely known that 41 Washington Street was the same location as 41 South Pearl Street, listed as the address of Ezra Ames in the directory for 1814.[33] The number was the same. The name of the street had been changed during the year 1814.[34]

Although Ames probably did not own his place during this period of his early struggles, as time went on he became the owner not only of this but also of other property in the block. A chart, among the Ames papers at the Office of the Surrogate, Albany, shows the extent of his holdings. On the chart one can see that the Ames home stood on the west side of South Pearl (a street running parallel with and about four blocks from the

[32] *Albany Directory, 1813*, p. 9.
[33] *Albany Directory, 1814*, p. 14.
[34] *Ibid.*, 3.



OFFICIAL ALBANY MAP OF 1794

Made by Surveyor Simeon De Witt in 1794

From *Albany Chronicles* (Albany: 1906), opp. page 384

Hudson River), and was midway between Hudson and Plain Streets. The rest of his property consisted of lots with houses, at least two of which he rented to tenants.[35] Looking at a map of Albany, engraved in 1794 after a survey by Simeon DeWitt,[36] one finds that the property which Ames was to acquire was situated on the same street as, and just north of, the Yates and Schuyler mansions.

In 1796 there were 1,093 houses in Albany,[37] five hundred of which had been built since 1789. By 1800 street lights, first installed in 1795, extended "at no spot further than half a mile back

[35] Ames, E., *Estate*, V, Item 1.

[36] Reynolds, map opp. 384.

[37] *Ibid.*, 355.

of the river, the rest of the land being unsettled upon."[38] The property on which the Ames house stood was just on the fringe of this lighted area.

During the year 1800, the first in his new quarters, Ames recorded the payments due him for the painting of Masonic aprons, signs, and looking-glass frames; the gilding and varnishing of picture frames; and the engraving of probably a name or an initial on a brass knocker, a pair of sugar tongs, a clasp, a clockface, a seal, several Masonic medals, a coffin plate, and spoons. He also noted a charge "To painting a Lion" which must have been a sizable beast, because the price was 5 pounds 4 shillings, which was more than he charged for a portrait. He does not record any portraits for this year, which, of course, is not proof that he painted none.

Reviewing the artist's output of paintings as recorded in his Account Books from the time of his arrival at Albany in 1793 through the year 1800, it will be found that he painted eighteen miniatures and four portraits, only one of which is located. Only in a few instances has the sitter's name been specifically given in the entries. It should be remembered, however, that the artist painted other portraits during the same period which he did not record in his Account Books.[39]

Two located but unrecorded paintings of this period are self-portraits. One is a bust portrait in oil, at the Albany Institute of History and Art, owned by Miss Mary L. Sutliff. Not only is it well drawn and carefully painted, but there is also an attempt at characterization in the likeness. The likeness is that of a handsome young man who looks confidently yet pleasantly at the spectator. A miniature in the Edwards collection greatly resembles the oil portrait, and for this reason the writers have called it, too, a self-portrait. Both the miniature and the portrait in oil are assigned to about the year 1800.

Two personal references to the artist relate to the year 1800.

[38] *Ibid.*, 392.

[39] A complete record of the paintings of Ezra Ames as presently known will be given in the catalogue of his works to follow.

One is a record of the fact that the artist was in Framingham in this year. On the cover of an Expense Book the artist notes, briefly: "Framingham, July 7, 1800." There is no evidence to show why he went or how long he stayed.

The other reference is to the artist's Masonic activity. In 1800, Ames was elected High Priest of Temple Chapter. He was appointed Grand Visitor the same year, and again in 1801. At last, in 1802, for "his consistent, loyal and brilliant work in Royal Arch Masonry," he was "awarded" the high office of the Most Excellent Grand High Priest of the Grand Chapter of New York. To this exalted position he was reëlected annually until 1826,[40] when, after holding the office for twenty-four years, he declined the nomination.[41]

Another institutional connection of Ames's which brought work to his shop was The Albany Mechanics' Society, already mentioned as having been organized in 1793. When the Society was incorporated, Ames's name appeared on the first page of the Act of Incorporation which passed the State Legislature on March 6, 1801,[42] in response to a petition made by "Bernardus Evertson and others, Mechanics and Tradesmen of the city of Albany and its vicinity," associated "for the laudable purpose of protecting and supporting such of their brethren as by sickness or by accident may stand in need of assistance, and of relieving the widows and orphans of those who may die in indigent circumstances; and also of providing means of instruction for their children."[43] In a sketch of The Mechanics' Society, signed "E. W. S.," one learns that: "The Society as incorporated consisted of 64 members—comprising at the time the prominent leading mechanics and tradesmen of this city to which were subsequently added many others, and swelling the aggregate number of its members to 150."[44]

Although Ames's name appears on the front page of the Act of Incorporation, it does not appear in the pages of a possibly earlier

[40] Reid, 11.
[41] *Ibid.*, 13.
[42] *New York State Laws, 1801*, Chapter 15, p. 18–19.
[43] *MS Mechanics' Society;* also *New York State Freedom Train Document Book*, 53.
[44] Munsell, VII (1856): 241, 242.

document, the signed register of members of The Mechanics' Society. On the other hand, a number of Ames's patrons are listed in both records. One of these, Philip Hooker (1766–1836), who is specified as the second vice president of the Society in the Act of Incorporation,[45] was the most prominent architect in Albany,[46] although he modestly gives his occupation as "carpenter."[45] There are several references to Hooker in the artist's first Account Book, and also to Hooker and his partner in the second. Ames noted in an entry dated May 7, 1802, that the firm of "Hooker & pulman" [Putnam][47] owed him 4 pounds; and in another entry, dated June 24, 1802, he recorded a charge against the same firm of 10 shillings for some "composition moulding" which was possibly of plaster. Another patron and fellow member of The Mechanics' Society was Isaac Hutton (1767–1855), the first treasurer of the incorporated Society,[45] who was partner in the firm of Isaac & George Hutton, jewelers and silversmiths of Albany, whose silverware is treasured to this day.[48] In his first Account Book, Ames noted in an entry dated August 1, 1794, that for 8 shillings he gilded and varnished "4 timepiece cases" for Isaac Hutton. Other references to Isaac Hutton occur for the years 1794 and 1796; and a reference to the partnership of I. & G. Hutton is dated March 1801. Besides Hooker and Hutton, there are, on the register of the Society, the names of the following members whom Ames likewise recorded as among his patrons: William Fryer, painter and glazier; James Hodge, stone cutter, first vice president of the Society;[45] Ira Porter, tailor; and John W. Fryer, gold and silversmith,[49] who was the first secretary of the Society.[45]

But Ames did not have to depend entirely on orders from fraternal sources. In his second Account Book he noted in May 1801 that for 20 shillings he gilded the clock hands of the "D[utch] Church" of which he was later, and possibly then, a member;

[45] *N. Y. State Laws, 1801*, Chapter 15, 21.

[46] *DAB*, IX: 198.

[47] Reynolds, 357.

[48] Hatch, *Magazine Antiques*, January 1945, p. 32–35.

[49] *MS Mechanics Society*.

while in August he made two picture frames, with glass, at 10 shillings each for "His Excel[l]ency Geo—Clinton." Among the other jobs that the artist recorded for 1801 are about thirty pertaining to picture frames and framing; the gilding and lettering of five signs; the gilding of five clock balls; the varnishing of a phaeton body; and the painting and gilding of twelve window "cornishes" for Peter Gansevoort, Abraham Ten Eyck, Richard Allanson, and Sanders Lansing. He recorded no portraits for the year, but, again, this must not be taken as proof that he painted none.

During the early years of the century two sons were born to the Ames couple. In 1801 their third child, Julius Rubens, was born—on January 1st, according to the manuscript record of the "Ames or Emes Family,"[50] but on May 1st, according to the inscription on the monument in the family plot at the Albany Rural Cemetery. According to the inscription, he died on June 5, 1850. Both of these sources give his name as Julius R. Ames. The authority for his full name is the Library of Congress card recording the second edition of a pamphlet which he wrote, entitled *Liberty*, published in 1839 by the Anti-Slavery Society in New York. He became a miniature painter but never rose to more than local fame. Some of his miniatures are in the Edwards collection.

It is impossible to say exactly when Angelo, the younger son of the Ames couple, was born. The anonymous author of the manuscript account of the family, writing before Angelo's death, states that he was born on January 29, 1803.[50] A second source, a card at the Albany Rural Cemetery, states that he died on May 26, 1886, at the age of eighty-two years, two months, and twenty-seven days, which would establish his birth date as February 29, 1804.[51] A third source, the inscription on his gravestone, gives the same date for his death, May 26, 1886, as that recorded on the cemetery card, but it gives his age as eighty-one which would make his birthday fall some time during the year 1805. Curiously enough a search of the extensive collection of church

[50] *MS Ames Family*.

[51] Albany Cemetery Association card.

records of Albany, at the New York State Library, has failed to reveal the birth date of Angelo, or of any of the other children of Ezra Ames.

Returning to the year 1802, a few of the small jobs which he noted were: the painting of a sign for 12 shillings; the gilding and enameling of five picture frames, three at 36 shillings each and two for a total of 24 shillings; the gilding of a looking glass frame for 28 shillings; and the painting of a gig carriage with "Jappan varnish" for Mr. Kane for 1 pound, 8 shillings.

The artist also recorded the painting of a portrait with a frame on August 18, 1802, for Leonard Gansevoort. It is the first portrait recorded in the Account Books after 1799. At present the writers must leave open the question of identifying the entry with any of the extant portraits by or attributed to Ames of the two Leonard Gansevoorts, cousins, who were born within a few years of each other.[52]

The artist's Account Book for the year 1803, if kept, is lost. In his Expense Book for the year one learns that Ames visited New York in June. An important pictorial document which fits into his chronology at this time, is a group portrait of members of the Fondey family inscribed with the names of all the sitters, and signed and dated 1803, on loan at the Albany Institute of History and Art. A miniature on ivory of John Fondey, Jr., also at the Albany Institute, similar to that person's portrait in the group picture, may be attributed to Ames as of the same year.

The setting for the figures in the conversation piece of the Fondey family is a tiled and balustraded terrace. John Fondey, Jr., and his wife are seated on a sofa at the left, while surrounding them are four of their children, not to mention their dog; and before them stands their son Isaac, with upraised arm, delivering an oration for their benefit. It is a large, quaint, interesting work, but primitive in its composition and technique; and it in nowise foreshadows the skilled painting which Ames was to accomplish six years later.

[52] *Appletons' Cyclopaedia of American Biography*, II: 589–590.

RISE AS A PORTRAIT PAINTER, 1804–1812: ALBANY, VISIT TO NEW ENGLAND, MASONIC ACTIVITIES

EARLY in the year 1804, Ezra Ames acquired a ledger-sized volume in which to keep his accounts; and in this, the third of his extant Account Books, he has left a record of work for which he had not been paid at the time of delivery, from May 4, 1804, through December 28, 1834. It is the chief source for tracing the chronology of the artist's later years.

In the first entry the artist charged James Hodge $2.50 for gilding a "Blaze for an Urn for Y^e^ Bank." Other entries of 1804 for ornamental painting include one for a Masonic apron, two for stands of colors, and twelve for signs. The Account Book record of artistic work includes the painting of a miniature for James Hodge, and the painting of a portrait in oil for Mrs. McGourck, and the painting of another for Solomon Southwick. The artist also listed a portrait for Matthias B. Tallmadge. The portraits of Mr. and Mrs. Matthias B. Tallmadge, owned by Yale University and on loan at The English-Speaking Union, New York City, are considered, because of the technique and costume, as well as of the ages of the sitters, to have been painted later than 1804, so that neither could be the portrait referred to in the entry. The portrait painted for Southwick has been tentatively identified as the portrait of him at the Mechanics and Farmers' Bank of Albany.

Some unrecorded but extant portraits which have been assigned to this period are the unfinished group portrait of the artist's children, Marcia, Julius, and Angelo, in the Edwards collection; the portrait of the artist's sister, Sally Emes Mulford, owned by Miss Edith Sutliff Wade, a great-great-grandniece of the artist; and the portrait of John Kane. In the latter portrait there is more color-variety than is usual in the artist's early work. The cool blue of the coat collar and the green table corner are pleasantly contrasted with the warm light-yellow waistcoat and

the patch of red on the arm of the chair. In assigning a date for these portraits, the apparent ages of the sitters has been the chief guide. It was an experimental period; and the artist was emerging from his primitive methods of painting, employing techniques too varied for reliance to be placed on any one of them as exclusively characteristic of any particular year.

Aside from the above-mentioned artistic and miscellaneous works, the artist also recorded in his Account Book for 1804 a "picture of the happy old Cople or Darby & Joan," which he sold on August 8th for $5. Twice during the following years he sold "pictures" of the same couple: one on July 18, 1806, for $5, and another on July 20, 1811, for $6. It is impossible to tell whether these were prints by some other artist, or paintings by Ames. His sign "Darby and Joan" which he recorded in 1817 was undoubtedly a painting, and perhaps based on a print.

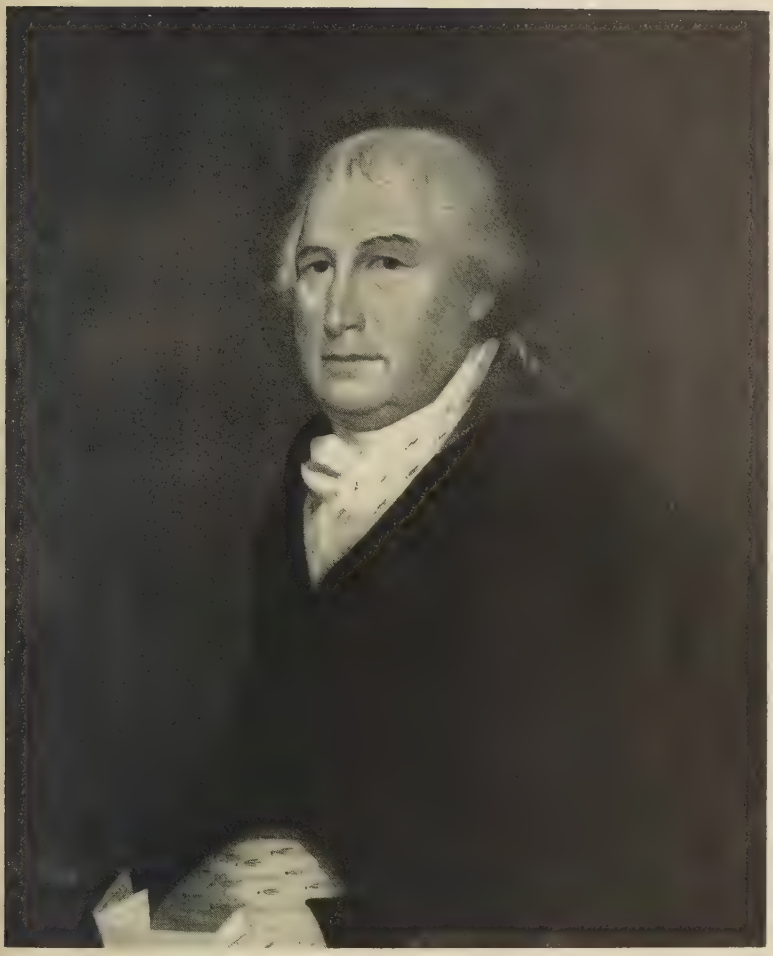
In 1805 Ames made a two-months visit to New England. The bare record of this trip, entered in his third Expense Book, reads:

1805 July	
Horse & Chair	£ 50
hey 24/–Oats 6/	1–10
Shoeing horse 10/6	10–6
Bridle & halter 12/	12
16–July went to New England	
Returned 16 September	
Expenses to New England etc	£ 40–0–0

Two silhouettes, one of Ames and the other of his wife, may be mementos of this trip. They have always remained in the possession of members and descendants of the artist's family, and are now in the Edwards collection. They are stamped "Williams," indicating that the artist was Henry Williams of Boston.[1] The costumes and the apparent ages of the artist and his wife as shown in the silhouettes make it possible to assign the profiles to the year of this visit to New England.

The record of the trip is interesting, for in addition to giving a

[1] Wehle, 64, 112. Several silhouettes by Williams are reproduced in Alice Van Leer Carrick's *Shades of Our Ancestors*.



JOHN KANE (1734–1808)

By Ezra Ames, *c.* 1804

Owned by Mr. R. Keith Kane (Photo by FARL)

EZRA AMES (1768–1836)

MRS. EZRA AMES (1775–1836)

Silhouettes on paper by Henry Williams, Boston, *c.* 1805

Owned by Miss Elizabeth S. Edwards, their great-granddaughter
(Photographed by Irwin F. Cortelyou)

specific reference to time and place for his chronology, it shows that the artist was rising in his community as a substantial citizen who could afford a horse and carriage. He could also afford small gifts. He records, during the September after his return from New England, and in his Expense Book, that he gave two pounds "Cash to Mulford," who was doubtless Ezekiel Mulford, the husband of his sister Sally, "for children." This probably means that he wished the two pounds to be distributed among his six nephews and nieces. One of the nephews, the youngest child, was named Ezra Ames Mulford.[2] The artist's name persisted in the family. The nephew, later on, christened one of his sons Ezra Ames,[3] and there were besides, in the family and up to 1867, an Ezra Ames Jordan,[4] two Ezra Ames Sutliffs,[5] and an Ezra Ames Spencer.[6]

Returning to the year 1805, and to the artist's Account Book,

[2] Sutliff, 24.
[3] *Ibid.*, 25.
[4] *Ibid.*, 24.
[5] *Ibid.*, 34, 37.
[6] Roosevelt, 296.

there is a record of two miniatures. On February 14th, he listed one for Mr. Bulkey at $15; and on March 2d, he listed another at the same price for Smith Thompson. They are the last miniatures recorded in his Account Books. A number of extant miniatures of a later date show that he did not relinquish entirely the painting of small portraits. About a dozen of these are family portraits: likenesses of his wife and children, and of members of the Emes, Mulford, and Wade families, both old and young, including one self-portrait.

During 1805, there is also a record of ten portraits in oil at an advanced price of $20 a likeness: a portrait for Smith Thompson, two each for Zebulon R. Shipherd and James Caldwell; and one each for Jacob Vander Heyden, Thomas Barry, and William P. Beers, all of which remain unidentified, as do the two recorded miniatures. Ames also recorded the painting of two portraits *for* George Provost, one of which has been located and identified as *of* that patron. For seven of these ten portraits the artist supplied the frames, which he probably made himself, at $10 each.

During the same year, the artist's record of work other than portraiture was for a Masonic "Piece," a Masonic carpet, and six signs. This short list of journeyman activity is typical of the lists of similar employments for 1806 and 1807. Though diminishing year by year in quantity, he was to carry out such small painting jobs, in conjunction with the more congenial and remunerative work of painting portraits, for many years to come.

Although five years were to pass before Ames received more than local fame as a portrait painter, his Masonic activity had, in the meanwhile, brought him national recognition. On January 9, 1806, Ames was elected the General Grand Scribe of the General Grand Chapter of Masons of the United States, an office he held until June 6, 1816.[7] In 1807 another Masonic honor was bestowed upon him. A warrant was issued for the establishment of an Ames Mark Lodge at Schoharie, N. Y., which, according to Mr. Wendell Walker, the librarian of the Masonic Library in New York

[7] Reid, 11.

City, was undoubtedly named for Ezra Ames. The lodge no longer exists because, according to Mr. Walker, all Mark lodges in New York State had disappeared by about the year 1830.[8]

In 1806 the artist recorded five portraits charged to Lieutenant Thorne, James Rivington, Mr. Germain, Mrs. Diamond, and Dr. Samuel Stringer. Of these only one, the portrait listed for James Rivington, has been identified. It is a copy, now at The New-York Historical Society, by Ames of a portrait of James Rivington, senior, by Gilbert Stuart.[9]

The foregoing list of portraits is not a complete record of Ames's portraits for the year, because there is an unrecorded likeness of Colonel Joseph Brant, at the Ticonderoga Museum of the New York State Historical Association, which is documented and dated as of 1806 by a framed receipt kept at Fenimore House, the Museum and Executive Office of that Association, at Cooperstown, New York. The receipt reads: "August 27th 1806/ Receivd of Mr Wm Caldwell/ Thirty Dollars in full for/ Painting a Portrait & frame/ of Col. Brandt—/ Ezra Ames."

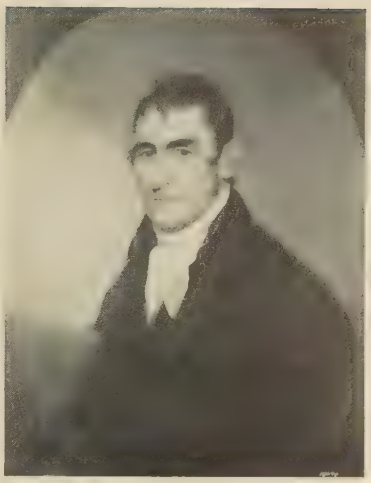
This strengthens the inference, which has heretofore and frequently been made, that the entries in the artist's Account Book are memoranda merely of the work for which he had not been paid at the time of delivery. Almost invariably Ames has written the abbreviation for the word "debtor" after the names of the patrons recorded. Furthermore, the artist's record of his miscellaneous work may be as incomplete as his record of artistic work has just been shown to be—an inference all the more plausible when one considers the very small amounts of money involved in these transactions. Many small jobs were probably paid for in cash as a matter of course, and hence there was no need to record them.

To about 1807 may be assigned the undated and unrecorded portrait of Harmanus Ten Eyck. Of the recorded portraits for 1807, two were for James La Grange (unlocated), and two for

[8] Ross, I: 744; *MS Walker*.

[9] For a discussion of this portrait see pp. 29–32 of this volume. *NYHS Quart.*, Jan. 1951.

MRS. SPENCER STAFFORD
(1792–1849)



SPENCER STAFFORD
(1772–1844)

By Ezra Ames, 1807

Owned by Miss Louise S. Gilder (Photos by FARL)

Benjamin Knower. One of these was of Mrs. Knower (unlocated). The other was of Knower, himself, and is either the one at the Mechanics and Farmers' Bank of Albany, or a similar one privately owned. Two unrecorded portraits of Spencer Stafford and of his wife are definitely dated as of the year 1807.

For the next year, 1808, the artist's record of work unpaid at the time of entry comprised the painting of seven portraits (and their frames), fourteen signs (including a large watch sign which he gilded and lettered for $2.50), a stand of colors for Leonard Gansevoort, and two picture frames. In May 1808 Ames noted that a Mrs. Banyard owed him $6 for "Cleaning and repairing" Governor Jay's portrait; and on September 3, 1808, that he painted "a letter box on his office door" for Solomon Southwick, the State Printer[10] and later the first president of the Mechanics and Farmers' Bank,[11] and charged fifty cents for the work.

[10] *DAB*, XVIII: 414.
[11] Mechanics and Farmers' Bank, *Span of a Century*.

CHILDREN OF GOVERNOR DANIEL D. TOMPKINS

By Ezra Ames, signed and dated, 1809

Owned by Staten Island Institute of Arts and Sciences
(Photographed by Irwin F. Cortelyou)

Considering this and similar items recorded in the Account Book during the period, one gathers that the artist accepted any work, however small, to make his financial ends meet. Indeed, the items taken from his Account Books seem trifling matters of fact when they are examined for any one year; but when they are viewed as a sequence over a period of years, they constitute part of the inspiring story of the slow but steady rise of a highly industrious artist to affluence and recognition.

The artist's recorded but unlocated portraits for the year 1808, include seven portraits *for* and possibly *of* Isaac Hansen, John Van Schaick, Garret Van Wie, Dr. Hunloke Woodruff, Captain Solomon Townsend, and Robert Dunbar for whom two portraits were painted. On May 16, 1808, the artist noted that he had painted a portrait of Mrs. Rivington for Mrs. Van Cleek.

For the year 1809, the artist's record of miscellaneous work in-

cluded the painting of six signs, a stand of colors, and two "Sattain fancy pieces"; and the gilding of a weathervane. As for the portraits recorded during that year, one was for Theodore Sedgwick, another for Dr. Hunloke Woodruff, and still another for Solomon Southwick of a Mr. Barber. None of these has as yet been located.

A most interesting unrecorded painting, signed and dated by Ames as of the year 1809, is owned by the Staten Island Institute of Arts and Sciences. This is a group portrait that shows the five children of Daniel D. Tompkins, who had been elected Governor of New York State in 1807.[12] The painting shows a reversion by the artist to his earlier methods. This authentic early American primitive, painted in 1809, resembles in its artless composition and hard technique the Fondey family portrait, painted by Ames in 1803. Indeed, without the irrefutable dates one would be inclined to assign the later picture to about the time that the earlier was painted. In fact, the artist's techniques were so varied and fluctuating throughout his early period—that is to say during the first two decades of his professional career—that in an attempt to assign a tentative date to a portrait one must have recourse to other considerations, such as the probable age of the sitter at the time the picture was painted and the possible date of his or her costume.

After seeing the primitive painting of the Tompkins children, one views with surprise certain other portraits painted during the same period. Thus the portraits of Ezekiel Mulford, known only in a reproduction; of Edmond Charles Genet, at the Albany Institute; and of Philip Van Cortlandt, owned by the Metropolitan Museum (which all may be assigned to the years 1809 or 1810 because of the ages of the sitters in conjunction with their costumes and the manner of brushing their hair *au coup de vent*), are accomplished works of art, whereas the group portrait of the Tompkins children painted in 1809 has just been noted as a veritable primitive conversation piece.

A letter of 1810 shows that Ames by this time, if not earlier,

[12] *DAB*, XVIII:583.

had gained some slight recognition in New York City for his artistic work. In the letter, headed "N. York 11 January 1810," Williams and Whiting, publishers, inform the artist that they have gone to press on a book and wish that he would send them his drawing of "Gen[l] Hamilton's Portrait."[12] We know that the drawing, a bust portrait now unlocated, was finally sent, because an engraving made after it by Leney is dated "September 1810." It appears as the frontispiece to the first of three volumes entitled *The Works of Alexander Hamilton . . . An Improved Edition of the Federalist*, published by Williams and Whiting in 1810. An undated engraving by Hoogland is based either on the engraving by Leney or on the drawing which is lost.

It seems not implausible that the lost drawing, obviously not made from life because it dates six years after Hamilton's death, was based on a bust in plaster of Hamilton owned by Ames and listed in the inventory of his estate.[14] This practice was not unknown. John Trumbull, for example, based a number of his portraits in oil of Hamilton on one of the marble busts of the statesman by Giuseppe Ceracchi.[15]

Two bust portraits in oil by Ames of Hamilton, unlike each other and also unlike the engravings after the lost portrait drawing, have been located. One, long owned at Union College, New York, is recorded in a letter of presentation, dated 1875, as having been painted from life.[16] The portrait, however, is doubtless the one recorded by Ames in his Account Book under the date of 1810 and thus obviously not a life portrait.[17] The other portrait of Hamilton attributed to Ames is in Kentucky. This the writers have, unfortunately, not been able to examine.

Recorded but now-unidentified paintings of the year 1810 included portraits charged to Joseph Warford, Isaac Hansen,

[13] *MS Ames and Others*, No. I, January 11, 1810.

[14] *MS Ames, Ezra, Estate*, No. I.

[15] Sizer, 29.

[16] *Union Alumni Monthly*, January 1928, p. 71.

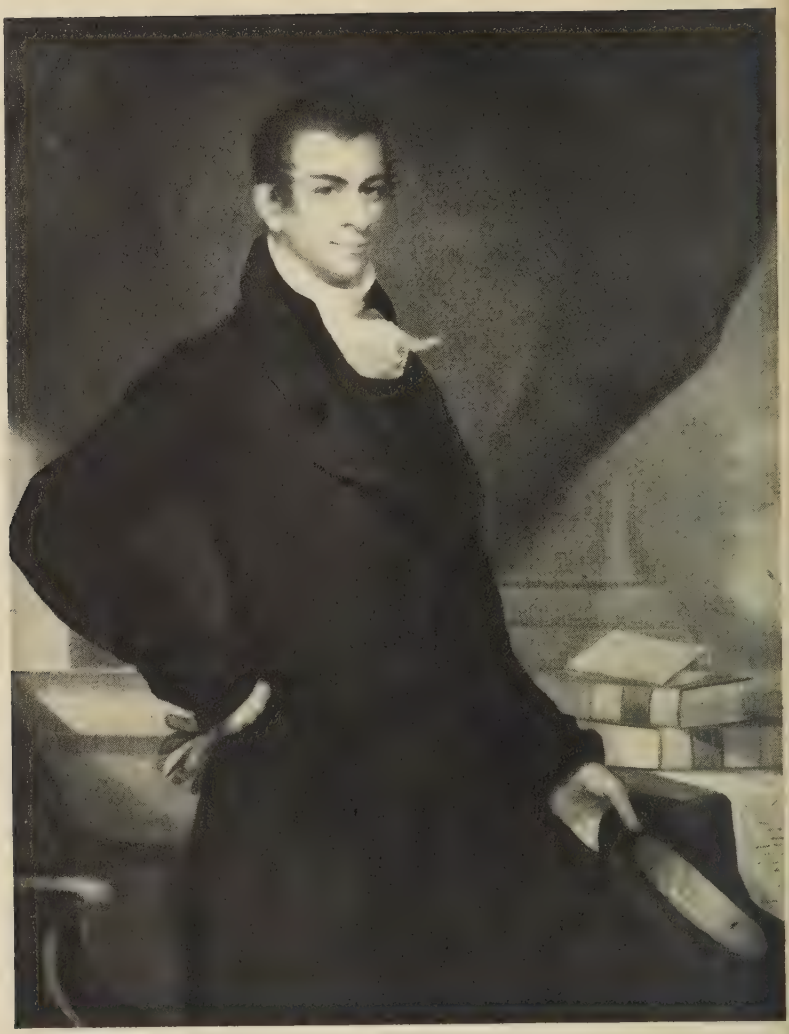
[17] A full-page reproduction of this portrait, in color, appeared in *Fortune*, February 1951. A further discussion of the portrait is given in this volume at pp. 23–25. *NYHS Quart.*, Jan. 1951.

Thomas Livingston, Charles Z. Platt, Dr. Pomeroy, and Mr. Gourlay; and a picture entitled "the asalt of the Ile of [?]" charged to James Caldwell. The record of ornamental painting for the year includes two signs for the New York State Bank; two stands of colors for I. & G. Hutton, and another stand for the Washington Benevolent Society charged to Charles Z. Platt, S. Brown, and H. Lansingh; and thirteen banners for the same three men.

Four entries dated June 22d, 26th, July 9th, and August 6th, give an idea of the prices Ames obtained for his decorative painting. He painted three fancy pieces at 16 shillings each; a mourning piece which was a composition with "7 figers" at 40 shillings; and a mourning piece for which he charged 12 shillings, doubtless because this composition contained fewer figures than the first. These decorations were commissioned by a generous Mrs. Tompson, who presented the fancy pieces to Miss Briton, Miss Little, and a certain lady whose name is indecipherable; and the mourning pieces to Miss Bassett, and to Miss Little who, since she was already favored with a fancy piece, must have been an especial favorite of Mrs. Tompson.

Unrecorded but extant portraits tentatively assigned to the year 1810 are: two self-portraits, one at the Albany Masonic Temple and the other in the Edwards collection; a portrait of Francis Bloodgood, and one of his wife, who wears a flower-bordered shawl, which is a characteristic accessory found in many of Ames's portraits of women. The splended portrait of Francis Bloodgood shows a greater breadth of handling than that used in the self-portraits.

Two unrecorded portraits, both signed and dated 1810, are the exceptionally strong characterizations of Henry Newman, a bust portrait privately owned, and of Henry Jones, a half-length standing portrait with an elaborate and colorful background, at The New-York Historical Society. The sophisticated technique and the highly artistic effect of these portraits make it difficult to believe that they were painted by the same artist who



HENRY JONES AGED 20 YEARS

By Ezra Ames, 1810

The New-York Historical Society

had painted the primitive group portrait of the Tompkins children just the year before.

The portrait of Henry Jones is comparable with the best American portraiture of the period. Henry Jones, a young man of twenty years, stands boldly with one hand on his hip, against a green curtain overlapping most of a gray column and the sky beyond. In his right hand he holds a pair of gloves; in his left, a cylindrical hat. The gloves are a grayish tan tint, the lining of the hat is of a bright scarlet hue, color notes which produce effective contrasts with the black costume and enhance the color scheme of this, one of the most artistic of all the artist's portraits.

That the artist was able to produce such a striking composition and convincing characterization, and with such an assured technique, only a year after he had painted the primitive group portrait of the Tompkins children, presupposes a period of intensive self-training. To account for this surprising improvement in so short a time leads one to infer that as a preliminary exercise for the painting of his elaborate composition of Henry Jones, Ames, about 1809–1810, made his extremely accurate copy, now owned by the Albany Institute of History and Art, of Copley's large portrait of Elkanah Watson. When the copy and the original were placed side by side in the Ames Exhibition of 1946, at the Albany Institute, it was impossible, at a first glance, to tell which was the original by Copley and which the copy by Ames. Having gained some insight into the management of a figure with a setting, and having improved his technique during the process of copying the picture, Ames probably next painted his half-length standing portrait of Simeon De Witt, owned by Rutgers University, for in this painting (judged from a photograph) the artist so obviously, and successfully, imitates the style of Copley. Then shortly after, in 1810, Ames painted his portrait of Henry Jones.

To this period of self-improvement one may safely assign some copies which the artist made after the portraits of Gilbert Stuart, because the influence of that artist, already apparent in his bust

portraits of Francis Bloodgood and Henry Newman, is pronounced in the case of the portrait of Judge Ambrose Spencer which is dated precisely as of the year 1811 by an entry in the artist's Account Book. In this portrait, the influence of Stuart's half-length seated portraits is apparent. Ames has placed his sitter in a setting of accessories such as Stuart used, and painted them in Stuart's manner. The table, the ink stand, the quill pen, and especially the curved arm of a chair, with a pad of red plush, are all accessories found in some of Stuart's portraits. They are conventional studio properties found in the work of other portrait painters of the day, but Ames has followed Stuart's manner of placing and painting them.

Most of his copies of portraits by Stuart, and the copy which he made after Copley's portrait of Elkanah Watson, always remained in the artist's studio. They formed part of a collection of paintings which he increased over the years. A handbill of the sale of his pictures, dated 1842 and thus six years after his death, lists seventy paintings, including Ames's copies of portraits by Stuart of Washington, Adams, Jefferson, Madison, Theodore Sedgwick, Peter Gansevoort, and Robert R. Livingston. He owned the original by Stuart of James Rivington of which he had made a copy already mentioned. He also owned a portrait by John Wesley Jarvis of Gideon Fairman, the engraver, which is unlocated. Besides the handbill, a manuscript inventory of the paintings in the artist's possession at the time of his death is another source for information concerning the artist's pictures.[18]

The copies, the original portraits by Stuart and Jarvis, and numerous examples of his own work, formed a gallery of showpieces which had, by 1810, become one of the sights of the city. The gallery is mentioned in an article on "Improvements in Albany," by an anonymous observer in the *Medical Repository* for July 1810: "In the fine arts, Mr. Ames, merits the highest eulogy for his gallery of paintings, which are worth the attention of every sensible traveller."

[18] [Ames, Ezra], *Catalogue of Sale of Portraits; MS Ames, Ezra, Estate*, No. 1.

HENRY NEWMAN (1780–1874)
By Ezra Ames, dated on back, 1810
Owned by Miss Evelyn Newman (Photo by FARL)

To complete the information concerning the artist during 1811: Ames recorded in his Account Book a sale entered as "To a Picture of the Happ[y] Old Couple"—the second mention of "Darby and Joan"—which may have been a print or a painting; and the painting of "A Masonic Carpet for Temple Lodge & Chapter," at Albany, for which he charged Dr. C. C. Yates $70, and an additional $3 for the frame. The unlocated portraits of this year included those painted for Lawrence Van Cleek, Caleb Russell, and Matthew Trotter. In addition, Obadiah Penniman was charged for a portrait of Mrs. Penniman, and William McHarg was charged for "2 Portrait[s] & Frames viz Genera[l] King & Lady."

By 1811 the artist's Masonic duties had become so time-consuming that he now wished to relinquish his official obligations. Mr. E. T. Reid writes: "On February 7, 1811, a laudable resolution was adopted testifying to his merits as the leader of Grand Chapter and he was presented with a service of silver plate valued at $150.00." Mr. Reid then quotes the text of the resolution which reads in part as follows:

> Whereas, Our Most Excellent Grand High Priest, Ezra Ames, from an ardent and highly laudable anxiety to promote the welfare of Masonry, and the interests and well being of this Grand Chapter in particular, has for a long period consented to officiate in the station he now holds, to the manifest injury of his professional avocations and real detriment to his individual interests, and
>
> Whereas, it is evident that this institution owes much of its present respectibility, harmony, and general usefulness to his fostering care and assiduous attention, therefore
>
> Resolved, That the thanks of this Grand Chapter be presented to our Most Excellent Grand High Priest, Ezra Ames, for his having generously preferred the welfare of this institution to his own personal emolument, [*and so forth; and that*]. . .the Grand Secretary and Grand Treasurer be, and they are hereby authorized and required to procure and present him immediately with a service of plate, of the value of a sum not exceeding $150.00. . . .[39]

It was fortunate that just now, when he was relieved of the administrative duties at his lodge and had more time to develop

[39] Reid, 12.

his artistic talents, Ames also had the opportunity of displaying his work prominently, and of gaining consideration as an artist beyond the city limits of Albany. This opportunity arose when a group of artists held the First Annual Exhibition of the Society of Artists of the United States in Philadelphia during 1811. To this exhibition Ames sent a portrait which was accepted.

But before recording his contribution to that display, two examples of his miscellaneous work, which the artist noted in entries written during March and April, 1811, should be mentioned. The entries relate to an episode in the early history of Hudson River steamboats:

March 20 [1811]
James Van Ingen Esq[r] D[ebto][r]
To painting figure of Hope for steamboat 8.00
April 24 [1811]
James Van Ingen Esq[r] D[ebto][r]
To painting the Beaver assiduity for steamboat 7.00

The steamboats mentioned were among the earliest on the Hudson River. The first was the famous *North River*, which was built in 1807, and known also as the *Clermont* by 1810.[20] The second was the *Car of Neptune*, built in 1809. The third and fourth were the *Hope* and *Perseverance*, both built in 1811,[21] and were obviously the boats for which Ames painted the "figure of Hope" and "the Beaver assiduity." The paintings were not for the paddle boxes, for this type of decoration was not introduced until after 1835.[22] Nor were they figureheads, according to Mr. Harold S. Sniffin who suggests that they might have been pictures to adorn the cabins of the boats.[23] Possibly "the Beaver assiduity" was the oil painting, at the Albany Institute, of the coat of arms of the city of Albany.[24] It represents two men seated on either side of a shield on which there is a beaver cutting down a tree. Under the beaver is the word: "Assiduity."

The *Hope*, launched March 19, 1811, and the *Perseverance*,

[20] Flexner, 318, 319.
[21] Munsell, VI (1855): 40.
[22] Brown, *American Neptune*, January 1943, 38.
[23] *MS Mariners' Museum*, letter from Harold S. Sniffin, curator.
[24] Munsell, I (1850): 138, vignette of Albany coat of arms.

began running as companion vessels in July 1811.[25] These boats, owned by the James Van Ingen Company, ran in competition with the Livingston and Fulton Company's boats, whose owners had obtained monopolistic rights in 1803 from New York State to operate boats on the Hudson River for twenty years.[26] The firm of Robert R. Livingston and Robert Fulton accordingly applied to the Circuit Court of the United States for the District of New York for an injunction to restrain the Van Ingen Company from "constructing or using Steam Boats on the waters of the Hudson."[27] The injunction was granted,[28] but in the meanwhile the first steamboat race in history was run by the rival companies between the *Hope* and the *Clermont* (or *North River*) on July 27, 1811, starting at Albany. The race resulted in a collision about two miles above the town of Hudson, but neither boat was damaged.[29]

In 1813, after the injunction was granted, the *Hope* and the *Perseverance* were delivered to the Livingston and Fulton Company for confiscation.[29] The boats were broken up at Albany in the presence of their builders.[30] The strong probability that the paintings by Ames were destroyed at this time would be an argument against the attribution to Ames of the painting at the Albany Institute as being one of the paintings he made for the steamboats.

But these decorative paintings were minor works. The next reference to the artist relates to a work of major importance. This was a portrait with which Ames made his first bid for consideration as an artist in competition with other artists. The portrait was displayed at the First Annual Exhibition of the Society of Artists of the United States, held at Philadelphia during 1811. In the catalogue of the exhibition the artist is classed with the "†American Artists, whose works came too late to be inserted

[25] Reynolds, 409–410; Munsell, V (1854): 28.

[26] *New York State Laws, 1803,* Chapter 94, p. 295–296.

[27] *Balance & State Journal,* August 6, 1811, p. 254.

[28] Bullock, *Journal of American History* (1907), 421.

[29] Morrison, 39.

[30] Bullock, *op. cit.,* 421.

in their proper places," and his painting is thus listed: "327 Portrait of a Youth . . . . †Ames."[31] The portrait has not been certainly identified.

There is no contemporary notice of the portrait probably because, no matter how well it might have been painted, it was a likeness of a person of no importance. Is it possible that the picture was the portrait of Henry Jones, now at The New-York Historical Society, painted in 1810? The suggestion arises because that portrait, so obviously painted as a show-piece to display the artist's skill, is a portrait of a 20-year-old youth.

At all events, after the acceptance of his work at the first exhibition in Philadelphia, Ames prepared to display his work at the second; and this time, to attract public attention, instead of submitting a portrait of a person of so little importance as to be entitled simply "Portrait of a Youth," he painted a likeness of the most prominent citizen of Albany who was likewise a national figure. This was George Clinton, a military hero, a friend of Washington, and the first Governor of New York State, a position to which he had been elected seven times. He died, in office, on April 20, 1812, as Vice President of the United States.[32]

Although it is not known exactly when Ames painted his portrait of George Clinton, at least it was finished in time to be shipped and submitted for the exhibition held during June 1812 at Philadelphia. With this second show-piece Ezra Ames, who was now beginning his forty-fifth year, at last gained all the recognition for which he could possibly have wished. His portrait of George Clinton was accepted for the exhibition, noticed by the public, praised in the press, purchased by the Pennsylvania Academy[33] as its first acquisition; and, finally, it led to several commissions for replicas of the picture. It marks the point when it may be said that Ames was now firmly established in his profession. The history of this unusual success begins the next chapter in the artist's career.

[31] *First Annual Exhibition of the Society of Artists of the United States,* catalogue 1811, p. 16.

[32] *DAB,* IV: 226–228.

[33] *Port Folio,* 1813, p. 127.

WESTCHESTER COUNTY 1776

As shown on a map of "The Provinces of New York, and New Jersey; with part of Pensilvania, and the Province of Quebec. Drawn by Major Holland, Surveyor General of the Northern District in America, Corrected and Improved, from the Original Materials, By Govern^r Pownall. 1776."

The New-York Historical Society

THE 801 WESTCHESTER COUNTY FREEHOLDERS OF 1763

AND THE CORTLANDT MANOR LAND-CASE WHICH OCCASIONED THEIR LISTING

by E. Marie Becker, *Reference Librarian*

TIME, the foe of historical records, has taken an unusually heavy toll of those of Westchester County. Many documents were lost or destroyed principally during the Revolution and later when they became separated from the main body of records by the various divisions of the County.[1] Fire accounts for the loss of many more. With the destruction of so many of its records, any manuscript throwing light on the County's early history becomes correspondingly more important. Consequently a simple "List of the Freeholders" of Westchester County, in the Van Cortlandt Papers owned by The New-York Historical Society[2] and now for the first time printed, is of considerable value to scholars interested in the social, legal, and political history of colonial New York as well as to genealogists.

This list of eight hundred and one freeholders of Westchester County was compiled in 1763 by order of the Supreme Court of Judicature of the Province of New York in the case of *James Jackson (ex dem John Watts, Oliver De Lancey, Philip Verplanck, and John Van Cortlandt)* vs. *John Stiles (Elisha Avery, Tenant)*. The case grew out of the settlement of Cortlandt Manor, which, after the death of Stephanus Van Cortlandt (1643–1700), its first and only Lord, was held in common by his heirs. In 1732 and 1733, the undisputed tract of Manor land north of

[1] For information on the divisions of Westchester County annexed to New York City, see John Thomas Scharf's *History of Westchester County, New York . . .* Phila.: 1886), I: 115, and *Colonial Charters, Patents and Grants to the Communities comprising the City of New-York* by Jerrold Seymann, [New York], The Board of Statutory Consolidation of the City of New York, 1939.

[2] The Van Cortlandt Papers, 1695–1820, purchased by The New-York Historical Society, 1941.

Croton River and in 1734 that south of the river[3] were divided among the ten surviving heirs of Stephanus Van Cortlandt and the devisees of his deceased son, Oliver, whose will, proved November 25, 1719, bequeathed his share to his brothers and sisters.[4] The remaining Manor lands, embracing Sarah's Point and a tract east of Bedford Patent were not divided, as the titles and boundaries were disputed by other claimants. To facilitate the clearing of these titles and the subsequent partition of the tracts or distribution of the proceeds of their sale, the proprietors of Cortlandt Manor in 1753[5] conveyed these undivided holdings, in trust, to Oliver De Lancey, John Watts, and John Van Cortlandt. This arrangement was made with a view to the trustees instituting proceedings for the recovery of all lands in dispute, to the sale of the lands so to be recovered at Sarah's Point (the proceeds to be divided), and to the partition among the heirs of whatever other disputed lands could be recovered. The trustees were authorized to settle controversies as to encroachments, trespass, and boundaries by arbitration or ejectment as they saw fit.[6] Evidently they saw fit to institute a suit of ejectment against Elisha Avery, who possessed lands within the boundaries in dispute.

To do this, it was necessary, in accordance with the procedure

[3] Scharf, *West. Co.*, I: 131–32 gives somewhat confused information on the 1732, 1733, and 1753 divisions of the Manor lands and ignores the 1734 division, while Robert Bolton's revised *History of . . . the County of Westchester,* edited by C. W. Bolton, (New York: 1881), I: 105–6 merely mentions the 1733 and 1734 divisions. For the division in 1732 and 1733 of the undisputed lands north of Croton River into North and South Great Lots and the Great Front Lots in three ranges, with the names of the members of the Van Cortlandt family to whom each share was apportioned, see Evert Bancker's 1774 facsimile of Philip Verplanck's 1732 survey map of Cortlandt Manor.—Scharf, *West Co.*, I: opp. p. 140. This map shows the undisputed lands south of Croton divided into eight parts, with a remainder left undivided, the names of the owners not appearing thereon, Verplanck's map having been made two years previous to the 1734 division. For the further division of the undisputed lands south of Croton into the full ten parts, see map, otherwise practically identical with Verplanck's, in the County Clerk's Office, White Plains, N.Y., or the photostatic copy of it in The New-York Historical Society. These two maps have been adapted for combined reproduction in a map showing all divisions, reproduced opposite.

[4] The New-York Historical Society *Collections* for the year 1893 (N.Y.: 1894), 201–2; see heirs of 1732–34 in Scharf, *West Co.*, I: 132.

[5] See Scharf, *West Co.*, I: 132 for heirs in 1753.

[6] Release, Dec. 14, 1753, in Van Cortlandt-Van Wyck Papers, Misc. Land Papers Box 1, Ms. Div., New York Public Library; Scharf, *West. Co.*, I: 132.

CORTLANDT MANOR MAP SHOWING DIVISIONS OF 1732–1734
AND THE DISPUTED POUND RIDGE AREA

The above map is a composite of Evert Bancker's 1774 facsimile of Philip Verplanck's 1732 survey map of Cortlandt Manor (reproduced in Scharf's *Westchester County*, I: opp. p. 140, and explained there, p. 131, and in f.n. 3 of this article) and a photostat in The New-York Historical Society of a similar, although later map, the original of which is in the County Clerk's Office, White Plains, N.Y. The names of the members of the Van Cortlandt family to whom each share was apportioned, as shown on these two maps and in Scharf's *Westchester County*, I: 132–33, are as follows:

North Great Lots
(north of Croton River)

1. Andrew Johnston
2. John Miln
3. Gertrude Beekman
4. John Schuyler
5. Margaret Bayard
6. Philip Van Cortlandt
7. Andrew Johnston
8. John Miln
9. John Schuyler Jr.
10. Stephen De Lancey

South Great Lots
(north of Croton River)

1. Philip Van Cortlandt
2. Philip Verplanck
3. Philip Verplanck
4. William Skinner
5. Stephen De Lancey
6. Stephen Van Cortlandt
7. Stephen Van Cortlandt
8. Gertrude Beekman
9. Margaret Bayard
10. William Skinner

Great Front Lots
(on the Hudson River)

1. Philip Van Cortlandt
2. Philip Verplanck
3. William Skinner
4. Stephen Van Cortlandt
5. John Miln
6. Stephen De Lancey
7. Margaret Bayard
8. John Schuyler
9. Andrew Johnston
10. Gertrude Beekman

Lots South of Croton River

1. Philip Van Cortlandt
2. Andrew Johnston
3. Stephen Bayard
4. Stephen Van Cortlandt
5. Philip Verplanck
6. Philip Schuyler
7. William Skinner
8. Henry Beekman
9. Stephen De Lancey
10. John Miln

then in common usage,[7] for the trustees to bring action through a nominal-lessee plaintiff against a casual ejector. By employing a series of legal fictions this action was designed to bring the tenant in possession —*i.e.* Avery—into the proceedings in such a manner as to throw the onus of ejectment and defense upon him, as an incident to try the title to the premises. The real plaintiffs in the case were, of course, the trustees, but their rôle was masked by a fictional lease of the disputed lands to a mythical James Jackson in whose name a declaration was filed in the Provincial Supreme Court—a pleading which sets out still more fictitious facts.[8] These were, namely, that James Jackson "By Virtue of which said Several Demises" had, on April 1, 1760, "entered into the said Several Tenements . . . and was Possessed thereof," and that a casual ejector,—another mythical character—one John Stiles, on April 2, 1760, "with force and Arms &c entered into the Several Tenements aforesaid" and "did Eject Expel and Amove" nominal-lessee Jackson therefrom. It was further averred that Stiles withheld the tenements from Jackson. Because of a contemporary rule that no plaintiff could proceed in ejectment with-

[7] "Practical Proceedings in the Supreme Court of the State of New York," 161–77. The manuscript, ascribed to Alexander Hamilton, is in the Association of the Bar of the City of New York. Attention to it was called by Mr. Joseph L. Andrews, Reference Librarian; *The History, Principles and Practice, (Ancient and Modern,) of the Legal Remedy by Ejectment* . . . by Charles Runnington (N.Y.: 1806); *Cases in Common Law Pleading with Summaries of Doctrine upon Several Heads of that Subject* by Charles A. Keigwin, 2d ed. (Rochester, N.Y.: 1934), 123–40.

[8] Six pages of loose manuscript in the County Clerk's Office, Hall of Records, New York City, Pl 1754–1837 J no. 1080, inscribed on verso of p. 5: "New York Supm. Court. James Jackson ex dim [*sic*] John Watts Esq. & others vs. John Stiles Elisha Avery Tenant. Declaration in Ejectment for Land in West Chester County. filed in Court 29 July, 1760. No. 2 (John Morin) Scott, Atty. Served 28 June, 1760." The material in the Co. Clk's Off. is in charge of Mr. Maxwell Volins. In earliest times, in the New York Supreme Court, the nominal-lessee plaintiff and casual ejector had usually been actual persons who lent their names to the proceedings as a favor to the hidden plaintiff, although even in its earlier days a fictitious casual ejector was not uncommon and in one or two instances a fictitious nominal-lessee plaintiff was used. The practice of substituting fictitious for real names as nominal-lessee plaintiffs and casual ejectors grew with time. The present writer, being unable to determine from the records whether the nominal-lessee plaintiff and casual ejector in the above case were real or fictitious, has relied on the authority of Professor Julius Goebel for the statement that the parties to this case as initiated were "mythical." Grateful acknowledgement for this assistance is herewith given.

out notice given to the person actually in possession and an opportunity to defend, Avery was brought into the action by the delivery on June 28, 1760, of a copy of the declaration to him together with a letter signed as by John Stiles. The latter declared in part:

> I being sued as Casual Ejector in the above Cause and having no Claim or Title to the said Premisses do advise you to appear at the next Supream Court of Judicature to be held for the province of New York at the City Hall of the City of New York on the last Tuesday in July next and then and there by Rule of the same Court to Cause yourself to be made Defendant in my Stead and Defend your Title if any you have to the Premises otherwise I shall Suffer Judgment to be Entered against me by Default and you will be turned out of Possession.[9]

When proof of this service was filed in the Supreme Court on July 29, 1760, and the case of *Jackson* vs. *Stiles* was called up, and no defendant appeared, the justices ruled that the defendant should plead "fourteen days before Next Term."[10] Although the next extant entry of this case on the Court's minute book is dated January 20, 1763,[11] it is evident that sometime during the two-and-a-half year interim Avery had entered an appearance and asked to be substituted defendant in place of the casual ejector and that the Court, according to the rule in such cases, had granted the request. This was upon condition, however, that Avery would confess that all of the legal fictions involved—*i.e.*, the lease, entry, and ouster—were true and would agree, as the term was, to plead the general issue. That is to say, that instead of denying the facts alleged, Avery would agree to defend his possession on the validity of his title. It is clear that, in legal fact, Avery did so confess and plead. Of course, the procedures in ejectment had by this date become so cut and dried that Avery's appearance in person and before the actual bench in term was no

[9] *Ibid.*

[10] "Minutes of the Supreme Court of Judicature, Apr. 19, 1757 to Aug. 2, 1760," 330; *ibid.*, Apr. 20, 1756 to Oct. 23, 1761, 188. All of the manuscript Minutes of the Supreme Court cited in this introduction are in the County Clerk's Office, Hall of Records, N.Y.C.

[11] Minute Book of the Sup. Ct. of Jud. Oct. 19, 1762, to Apr. 28, 1764, 81, 84.

more necessary than that an actual lessee be ousted by an actual ejector, so that the legal requirement was probably fulfilled by Avery's attorney filing his plea with the Clerk of Court. This created the final fiction that the above had actually transpired in court, which would explain the failure to minute these steps upon the court record. But that these necessary preliminaries to Avery's assumption of his defense had been accomplished one way or another by January 20, 1763, is evidenced by the facts that the case was then first entered as *Jackson* vs. *Avery* and that the issue had already been joined. Otherwise, the plaintiff's attorney could not have moved, as he did, that "this Cause by Tryed by a Struck Jury of the County of Westchester."[12]

This motion for obtaining a struck jury and thereby avoiding the process of challenging and calling for talesmen may have been occasioned by the fact that both the sheriff, who ordinarily would have selected the jury panel, and the coroner, who would have done so if the sheriff could not, seem to have been interested parties and so could not be expected to bring an impartial panel. This possibility is suggested by a letter which John Van Cortlandt wrote to Philip Verplanck, July 22, 1762: "we do propose to bring on two Causes to tryal in the Mannor . . . as the Sheriffe and Corroner will be Affected in the Event of the suits it will be proper to have Elisers"[13] (*i.e.*, special agents to perform the sheriff's function in impaneling the jury). That the Avery case was one of those referred to as involving the sheriff's interest is suggested by the fact of its being the first litigation involving the Manor, following this letter, to be ordered to trial, as noted in the Supreme Court's minutes.[14] Six months later, however, when the case was ready for trial, the attorney for the Van Cortlandt

[12] *Ibid.*, 84.

[13] "John Van Cortlandt Letter Book A, July 16, 1762, to Mar. 24, 1769," 2, Ms. Div., N.Y.P.L.

[14] On Oct. 30, 1762, however, in the case of *James Jackson ex dem Stephanus Van Cortlandt* vs. *John Stiles, Annanias Rogers, Tenant*, judgment was ordered to be entered against the casual ejector, but obviously on default of a plea rather than a jury verdict. For that reason this case could not be used by the Van Cortlandts as a precedent since the issue of the conflicting title claims had not been tried.—Min. Bk. of Sup. Ct. of Jud. 1762–1764, 23, 33.

trustees asked the Court, not that elisors be appointed to provide a panel, but that "this Cause be Tryed by a Struck Jury." Whether Van Cortlandt feared that his hope for sympathetic elisors, as expressed in the letter just quoted,[15] would be disappointed, or some other consideration motivated this change of method for circumventing the sheriff's interest and the resultant need for interminable challenges, is not known. Certain it is that the struck-jury method effectively nullified any prejudice the sheriff might have had, since his only function in it was to bring in the list of freeholders.

In accordance with the plaintiff's motion, the Court on January 20, 1763, ordered that:

> Isaac Willet Esqr. Sherif of the said County return a Book of the Freeholders into the Clerks Office of this Court on or before the last day of February next and that the striking of the Jury be on such Day thereafter and at such place as one of the Judges of this Court shall fix for that purpose and of which Notice shall be given to the Defendts. Attorney.[16]

Two days later, the court made a supplementary ruling that:

> . . .this Cause by Tryed at Bar by a Jury of the County of Westchester and that the Sherif of the said County return a Pannell of the Jurors who are to try this Cause into the Clerks office of this Court on or before the first day of March next and that the Balloting of the Jurors shall be at such time and place thereafter as shall be appointed by one of the Judges of this Court for that purpose.[17]

It was in accordance with these rulings that the sheriff prepared a list of eight hundred and one freeholders of Westchester County, dated February 25, 1763, and endorsed: "A List of the Freeholders in the County of Westchester returned into the clerks office according to a Rule of the Supreme Court in this Cause. By Is: Willet Sherif. . . ."[18] It is a copy of this list so endorsed which appears at the end of this introduction.

[15] John Van Cortlandt Letter Book A., 1762-1769, 2. After stating it would be proper to have elisors, Van Cortlandt continued: "I have talked with Jonathan Brown About it and he thinks Blycker at New Rochelle will be a proper person for that purpose."

[16] Min. Bk. of Sup. Ct. of Jud. 1762–1764, 84 (Jan. 20, 1763).

[17] *Ibid.*, 89 (Jan. 22, 1763).

[18] Van Cortlandt Papers, N.Y.H.S.

Contained in the Court's ruling of January 20, 1763, was the further provision that "Six or any Greater Number of the Jurors who shall try this Cause shall have a View of the Premisses in Question," which was to begin on "the Twenty Eighth day of March next."[19] So far as the minutes show, the case was not further prosecuted. Possibly this was because a settlement out of court was reached, as some instrument was seemingly executed between John Van Cortlandt and Elisha Avery prior to August 2, 1766, at which time John Van Cortlandt sued Avery on an alias dictus, *i.e.*, in this case, presumably on a specialty.[20] In this later case, on October 21, 1766, the court awarded judgment to Van Cortlandt for default of a plea by Avery.[21] This may well have been the action by which the Van Cortlandts finally cleared their title to the land in dispute, for no subsequent case by which they could have done so is found on record up to the time, in 1789, when it is known they had legal title.

The land in dispute between Avery and the Van Cortlandts comprised: "one Dwelling House one Barn One Garden one Orchard One Hundred Acres of Land one hundred Acres of Meadow one Hundred Acres of Pasture and one hundred Acres of Wood with the appurtenances Situate lying and being in the Manor of Cortlandt. . . ."[22] These parcels of land were situated in the Pound Ridge area east of Bedford Patent, as evidenced by

[19] Min. Bk. of Sup. Ct. of Jud. 1762–1764, 84.

[20] *Ibid.*, July 31, 1764, to Aug. 2, 1766, 412; *A New Law Dictionary, containing Explanations of such Technical Terms and Phrases as occur in the Works of Legal Authors, in the Practice of the Courts, and in the Parliamentary Proceedings of the Houses of Lords and Commons* . . . by Henry James Holthouse, 2d ed. enlarged (Boston & London, 1850), 17. Holthouse, citing Dyer 50 and 1 Burn's Just. 138, defines an "Alias Dictus (otherwise called)" as the "style or manner of a defendant's description when sued on a specialty, as on a bond for instance; in which case, after he has been described by his name, and common addition, comes the *alias dictus*, which describes him again in the identical manner that he is described in the bond." See also *The Law-Dictionary: explaining the rise, progress, and present state, of the English law; defining and interpreting the terms of words of art; and comprising copious information on the subjects of law, trade and government.* Originally compiled by Giles Jacob. Corrected and enlarged by T. E. Tomlins. 2d ed., I (London, 1809) for a similar definition.

[21] Min. Bk. of Sup. Ct. of Jud. July 31, 1764, to Oct. 28, 1767, 161; *ibid.*, Oct. 21, 1766, to Jan. 21, 1769, 3.

[22] See f.n. 8.

several sources. The John Van Cortlandt letter quoted above explicitly locates the land in dispute in the cases therein mentioned in the "Bedford purchase and . . . to the Eastward of Bedford," where Pound Ridge lay. The 1763 list shows that an Elisha Avery was then living in Pound Ridge, he being listed thereon as a freeholder of that place. Evert Bancker's 1774 facsimile of Philip Verplanck's 1732 survey map of Cortlandt Manor and a similar, although later, map in the County Clerk's Office, White Plains, N. Y., together with the release by the Van Cortlandt heirs to the trustees, December 14, 1753, show that, apart from Sarah's Point, the lands east of Bedford Patent, *i.e.* the Pound Ridge area, alone remained undivided and in dispute.[23] Confirmatory evidence is also found in a copy of a "Memorandum Book" and of a "List of the Estate of Philip Van Cortlandt" (1739–1814), the Loyalist. These two sources note (among the tracts of land in Dutchess and Westchester Counties being "settled upon by Usurpers among whom Suits were instituted & Several farms recovered" by John Van Cortlandt, the family's attorney), Philip Van Cortlandt's claim of an undivided right to a 3,713-acre tract[24] located "In the rear of the Manor of Cortlandt, back of Bedford." Avery's land, having presumably been regained legally by John Van Cortlandt in 1766, was probably included in the "Several farms recovered," referred to by Philip Van Cortlandt.

[23] Scharf, *West. Co.*, I: 131–33 and map opp. p. 140; also f.n. no. 3 for information on the maps. It will be noted later, however, that the Van Cortlandt heirs claimed 32,000 acres of the Oblong or Equivalent lands. For the Dec. 14, 1753 release, see f.n. 6.

[24] Van Cortlandt Papers, N.Y.H.S. The tracts also included "Bedford New purchase." The expense of the suits was to be defrayed "by two lotts behind the old Trinity Church which were conveyd to" John Van Cortlandt for that purpose. The premises so conveyed may possibly have been those deeded by William and Mary Dyer to Thomas Lloyd, April 23, 1686, which passed through several transfers to John Hutchins. The latter deeded that part of the premises west of Temple Street, July 26, 1700, and the remaining part, east of Temple Street, Sept. 6, 1709, to Nicholas Bayard, whose daughter, Hester, married John Van Cortlandt. The Van Cortlandt Sugar House stood on the northwest corner of this property. The whole property is now owned by Mr. Elias Cohen. Information courtesy of Mr. Joseph Srebnik and Miss Helen Kappelmann, Title Guarantee and Trust Co., N.Y.C. For information on Philip Van Cortlandt (1739–1814) see *Colonial Families of America*,

If the action brought against Avery in the 1760's were intended to be a test case for the settlement of all disputed titles in the area, its success as such seems to have been ineffectual for some time, perhaps in part because of the so-called Levelers' uprising of 1766. The Court's judgment to John Van Cortlandt had been awarded only a short time after a great body of Westchester levelers threatened to "march with their Body now collected," and pull down Mr. Van Cortlandt's house in New York City, if he did not "give them a grant forever of his Lands."[25] Nevertheless and despite the fact that this and contemporary uprisings were severely suppressed, the struggle of tenant against landlord remained a constant one.[26] Whatever the reasons for the delay in the enforcement of his title rights, it is a matter of record that as late as 1784 John Van Cortlandt was still threatening to take legal action against tenants in "Pownridge, Mannor of Cortlandt," unless his request for rent due was speedily complied with.[27] But not until February 10, 1800, could Pierre Van Wyck write his uncle, Philip Van Cortlandt, that "The Suits against the Poundridge People are in a State of progression."[28]

The presumption that the Van Cortlandt heirs were at first prevented by the leveling movement and subsequently by the Revolution from recovering and dividing the disputed lands, as

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under editorial supervision of Ruth Lawrence (N.Y.: Nt'l Americana Pubns., Inc., 1941), XX: 147–49 at 149.

[25] *The Montresor Journals*, edited and annotated by G. D. Scull (N.Y.H.S. *Colln.*, 1881, N.Y.: 1882), 363. It should be noted also that during the land riots, these levelers claimed to have the sympathy of "the Inhabitants of some other Counties, and . . . great numbers of the Connecticut People bordering on West Chester," as well as many residing in New York City. *Docs. Relative to the Colonial Hist. of the State of N.Y.* . . . ed. by E. B. O'Callaghan (Albany: 1856), VII: 825–26. See also *Calendar of Histl. Mss., in the Office of the Sec. of State, Albany, N.Y.*, ed. by E. B. O'Callaghan, Pt. 2 [English] (Albany: 1866), 762.

[26] Julius Goebel, Jr., and T. R. Naughton, *Law Enforcement in Colonial New York: a Study in Criminal Procedure (1664–1776)*, (N.Y.: 1944,) (Pubns. of the Foundation for Research in Legal History, Columbia Univ. School of Law), 86 *et seq.*; E. W. Spaulding, *New York in the Critical Period, 1783–1789* (N.Y.: 1932,) (N.Y. State Histl. Assn. Ser. [v. 1]), 78–80.

[27] Van Cortlandt Papers, N.Y.H.S. Letters were sent to Enoch Avery, Epene[t]us Bishop, John Cr[o]ss, Anthony Mar[s]hall, John Pel[h]am and Sons, Richard Rundal and to Joseph and Jonathan Wood, each dated Nov. 18,1784.

[28] Pierre Van Wyck to Philip Van Cortlandt, Feb. 10, 1800, Van Cortlandt Papers, N.Y.H.S.

the trustees were authorized to do in 1753, is based primarily on the fact that although Avery's case was started in 1760 and apparently settled in 1766, the lands seem never to have been partitioned among the heirs. It was not until the period 1789 to 1814 that the Van Cortlandts released or quit-claimed their undivided rights to the Pound Ridge lands, presumably preparatory to, or confirmatory of, the sale or lease of those lands to the inhabitants of that region. Nine extant indentures record the transactions that then took place.

On November 17, 1789, Philip Verplanck of Dutchess County leased to Philip Van Cortlandt, of the town of Cortlandt, among other parcels of land, an undivided one tenth part of a tract "in and about the Stone Hills in the Town of Pound Ridge."[29] From 1792 to 1814, William Terrell, Pierre Van Cortlandt, and Stephen [J.] and Lana Schuyler released or quit-claimed their rights to the undivided lands in Cortlandt Manor to Philip Van Cortlandt by three indentures, the wording of each of which was general in character.[30] By five quit-claims executed between 1808 and 1811, Stephen Skinner, James Skinner, Gertrude Cochran, John Johnston and the great-grandchildren of Margaret (Van Cortlandt) Bayard transferred to Philip Van Cortlandt their claims to two tracts of land at Pound Ridge, apparently for the purpose of validating instruments previously executed by Van Cortlandt. One tract consisted of about two thousand acres which *c.*1802–1804 Philip Van Cortlandt had leased to some fifteen inhabitants of the region, including John

[29] This lease describes the undivided one tenth part of the tract as "being part of the Manor of Cortlandt known and Distinguished by the Undivided Lands Situate lying and being in and about the Stone Hills in the Town of Pound Ridge being bounded Easterly by the Town of Salem Southerly by the East line on the South Side of the Said manor of Cortlandt Westerly by the possession line of the Township of Bedford and Northerly by Divided lands of the Said manor of Cortlandt distinguished on a Map of Said manor made by Philip Ver Planck Esquire Deceased by great South lots Number Nine and Ten. Containing by Estimation Three Thousand Acres more or less. . . ."—Van Cortlandt-Van Wyck Papers, Misc. Land Papers Box 1, Ms. Div., N.Y.P.L.

[30] William Terrill's release, Dec. 6, 1792, and the quit-claim of Stephen [J.] and Lana Schuyler, Oct. 18, 1814, are in the Van Cortlandt Papers, N.Y.H.S.; the quit-claim of Pierre Van Cortlandt, Sept. 19, 1795, is in the Van Cortlandt-Van Wyck Papers, Misc. Land Papers, Box 1, N.Y.P.L.

and Henry Avery. The other tract, consisted of about eight hundred and eighty-seven acres which Philip Van Cortlandt had sold to more than eighteen inhabitants of the region, including Enoch Avery and Elisha Avery.[31] It would seem, therefore, as if the disputed land in Pound Ridge eventually was sold to his de-

[31] The parties quit-claiming these lands are described as:

(1) Stephen Skinner, a devisee of Mary Johns[t]on, a daughter of Catherine Johns[t]on, who was a daughter of Stephanus Van Cortlandt. The quit-claim was executed for Stephen Skinner by Peter Mackie, appointed his attorney July 6, 1784, and recorded "this twentieth day of October One thousand eight hundred and eight."—Van Cortlandt Papers, N.Y.H.S.

(2) James Skinner of Perth Amboy, N. J., son of John Skinner, deceased, who was a son of William and Elizabeth Skinner, deceased, the latter being a daughter of Stephanus Van Cortlandt. The quit-claim was executed for James Skinner, Aug. 2, 1811, by James Throckmorton, appointed his attorney Dec. 20, 1810. *Ibid.*

(3) Gertrude Cochran of Oppenheim, Montgomery County, daughter of Cornelia Schuyler, deceased, youngest daughter of Stephanus Van Cortlandt. The quit-claim is dated Nov. 29, 1811.—Van Cortlandt-Van Wyck Papers, Misc. Land Papers Box 1, N.Y.P.L.

(4) John Johns[t]on of Perth Amboy, N. J., a devisee of Andrew Johns[t]on, deceased, and also a son of the said Andrew and Catherine Johns[t]on his wife, deceased, the latter being a daughter of Stephanus Van Cortlandt. The quit-claim was executed for John Johnston, Aug. 2, 1811, by James Throckmorton appointed his attorney Dec. 20, 1810.—Van Cortlandt Papers, N.Y.H.S.

(5) The grantors were "Nicholas Bayard (by Stephen B. Hoffman his Attorney) Philip I. Livingston and Frances his wife and Margaretta Hoffman, which said Nicholas the devisee of Rebecca Bayard deceased and which Rebecca Nicholas Frances and Margaretta were the brother and sisters and Co Heirs of Samuel Bayard Junior deceased who was Son and Heir of Samuel Bayard the elder deceased who was Son and heir of Margaret Bayard who was one of the daughters and Co Heiresses of Stephanus Van Cortlandt deceased." The quit-claim is dated Feb. 1, 1810.—Van Cortlandt-Van Wyck Papers, Misc. Land Papers Box 1, Ms. Div., N.Y.P.L.

The two thousand acres of land in Pound Ridge which were being quit-claimed are described as the tract which six years previously, *i.e.*, about 1802–1804, Philip Van Cortlandt had leased to: "Elisha Pelham, Samuel Peatt, Benjamin Green, Enoch Hoyt, Enoch Harris, John Holmes, Anthony Marshall, John Cross, Timothy Reynolds, John Avery, Henry Avery, Silvanus Stephens (Stevens), Stephen Bouton, Daniel Bouton and Aaron Gregory."

The eight hundred and eighty-seven acres of land in Pound Ridge which were being quit-claimed are described as the land which "Philip Van Cortlandt sold to": "Elisha Avery, Joshua Mead, Gould Bouton, Benjamin Green, Samuel Brown, Henry Miller, Lewis Holmes, Enoch Clausson, Enoch Avery, Abraham Delavan, Lewis Bostwick, Andrew Bishop, Epene[t]us Bishop, John Holmes, Peter Fleming, Jesse Brush, Silvanus Stephens and his associates and Elisha Avery . . . including a farm called the 'Knapp Farm' sold to John Jay[,] Samuel bla[c]k and others."

scendants, if not to Elisha Avery, the defendant in the legal proceedings which occasioned the compilation of the 1763 list of freeholders of Westchester County.

Having emanated from these legal proceedings, the 1763 list represents those freeholders of Westchester County who could meet the necessary requirements for jury duty.[32] The freehold qualifications of jurors at this time was determined by the law of 1741, made perpetual in 1746, whereby inhabitants of the Province, to be eligible for jury duty in trials before the Provincial courts—Supreme and inferior—had to be between twenty-one and seventy years of age, and to "have in their own Name or Right, or in Trust for them, or in their Wives Right, within the . . . City or County, a Freehold in Lands, Messuages, or Tenements, or of Rents in Fee, Fee-Tail,[33] or for Life, of the Value of *Sixty Pounds*, free of all Reprizes or Incumbrances whatsoever. . . ."[34] This sixty-pound qualification, incidentally, was more severe than the one required to elect and be elected a representative of the Provincial Assembly. Electoral freeholders had to possess, free from incumbrance, an estate in fee, for life, or by courtesy, of the value of forty pounds only.[35]

The freehold requirements for jury duty and suffrage pur-

[32] Except the freeholders of Cortlandt Manor and Ryke's Patent. See pp. 305–9 herein.

[33] A fee under feudal law denoted an estate in land held of a feudal lord. Rents in fee refer to rents from lands held in fee simple, as distinguished from fee-tail. According to James Kent's *Commentaries on American Law*, revised edition, by Wm. M. Lacy (N. Y. & Albany: 1894), IV: 5–6, 13, a "fee simple is a pure inheritance, clear of any qualification or condition. . . . It is an estate of perpetuity, and confers an unlimited power of alienation. . . ." A fee-tail was limited to a class of heirs, such as that denoted by the law of primogeniture, or an inheritance belonging to the first born.

[34] For the law of 1741 see chap. 720 of *Laws of New-York, from The Year 1691, to 1773 inclusive* (New-York: Hugh Gaine, 1774), by Peter Van Schaack, I: 216–21; *Laws of New-York, from The Year 1691, to 1751, inclusive . . .* (New-York: James Parker, 1752), by William Livingston and William Smith, Jr., 300 304; *The Colonial Laws of New York from the year 1664 to the Revolution . . .* (Albany: 1894), III: 185–92. For the law of 1746 see chap. 836 of Van Schaack's *Laws*, I: 272 73; Livingston and Smith's *Laws*, 389; *The Colonial Laws of New York*, III: 599. Within the City and County of New York, a freehold or a personal estate of sixty pounds, free of all debts was required by the law of 1741.

[35] Law passed May 16, 1699, *The Colonial Laws of New York*, I: 405–8. This law was still in force in 1769. See *Journal of the Votes and Proceedings of the General*

poses were but the adaptations of English traditions to the Colonies, which strengthened the peculiar landed and social conditions that characterized the latter. In the Province of New York, these conditions were the result in no small degree of the liberal land grants made by the early governors. Socially, Westchester County embraced an aristocracy based primarily upon land and secondarily upon commerce, centering in the families of the lords of the manors, the proprietors of the other great patents, and a small coterie of related families of wealth. Below the landed and commercial aristocracy, who constituted the principal freeholders, were the petty freeholders, including those eligible to serve on juries and to vote. The sixty-pound freehold requirement made ineligible for jury duty roughly between 75 and 80% of the white male population of Westchester County between 21 and 70 years of age.[36] It is thus only with the landed and commercial aristocracy and the other *legal* freeholders that the 1763 list is concerned. Omitted from it is the great majority of the inhabitants, including the freeholders who were unable to meet the sixty-pound freehold requirement for jury duty.

Within both the manorial estates and the other great patents to be found in the County were the homes of a numerous small tenantry. Freeholds, though seldom granted, usually took the form of a grant in fee. In general, however, especially on the manors,

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Assembly of the Colony of New-York. Began the 4th of April, 1769, and ended by Prorogation the 20th of May following (New-York: Hugh Gaine, 1769), 63–64; Carl Becker, *The History of Political Parties in the Province of New York, 1760–1776* (Bull. of the Univ. of Wisc. no. 286; Hist. Ser. v. 2 no. 1), 10.

[36] These figures are arrived at by computation based on the population lists of 1756 and 1771. The total number of white males between 16 and 60 years of age in 1756 was 2,908; in 1771 it was 5,204. This shows a 15-year increase of 2,296 or about 1,148 for the 7 years, 1756 to 1763. The number of white males between 16 and 60 years of age in 1763 was therefore roughly 4,056. Deducting 20% of this number as a rough estimate of the number of men between 16 and 21 years of age, there remains 3,245 white males between 21 and 60 years of age. The 1,039 white males over 60 years of age in 1756 had decreased to 549 in 1771 making the population in this age group in 1763 approximately 794. Deducting 50% of this number as over 70 years of age, there remains 397 white males between 60 and 70 years of age. The total number of white males between 21 and 70 years of age in 1763 was therefore, by rough computation, 3,642, of which but 801 or approximately 22% are listed as eligible for jury duty. See f.n. 60 for bibliography.

leaseholds were the rule. These might be perpetual "fee-farm" leases, the equivalent of freeholds, whose tenants were "freeholders" by law.[37] Leases, however, were usually given for one or more lives,[38] for a term of years,[39] or "at will," in which latter case tenure was dependent upon the will of the lessor.[40] Manorial privileges included the exceptionally used one of holding courts leet and baron, and, in some cases, of electing specified officials for the manor. A few manors were even granted the right of electing their own representative to the Provincial Assembly. In Westchester County Cortlandt was the only manor that was granted all of these rights.[41] Such privileges, and the tenures by which land was sublet, served to establish relations of a quasi-feudal nature

[37] Owners of fee-farm leases to the value of forty or sixty pounds, therefore, were qualified respectively to vote and to serve on juries.

[38] According to Sir William Blackstone's *Commentaries on the Laws of England*, 2d Book, 13th ed. with notes and additions by Edw. Christian (London: 1800), 140, estates less than a freehold were of three sorts: (1) Estates for years, (2) Estates at will and (3) Estates by suffrance, the last being described (*ibid.*, 149–50) as lands entered upon by lawful title—as by a lease—but kept afterward without any title at all, as after the lease has expired. See also Spaulding, *New York in the Critical Period*, 60–61. The habendum of a number of leases for lands in Cortlandt Manor were for the lives of three persons. For example, a lease in the Ms. Division of the N.Y.P.L. from Henry Beekman and Gertrude his wife to Andrew Barton, May 1, 1749 was to continue during the lives of Andrew Barton, Mary, his wife, and John, his son. The land leased by Henry and Gertrude Beekman to Daniel De [Lamoureux], Mar. 25, 17[3]7, was to continue during the lives of Daniel, James, and Isaac De [Lamoureux]. —Van Cortlandt-Van Wyck Papers, Misc. Land Papers, Box 1.

[39] An estate for years was for some determinate period, according to Blackstone, 140. The range could be from a fraction of a year to 99 years. Leases for one or a few years were the more common. Edward Floyd De Lancey mentions land which had descended to him and the widow of a deceased brother, which he sold in 1875, after the expiration of a 99 year lease.—Scharf, *West. Co.*, I: 133.

[40] Blackstone's *Commentaries*, 145. For presumptive evidence that a great part of the leaseholders of Cortlandt Manor were tenants for years or at will, see herein, pp. 300–307. Charles W. Spencer. "The Land System of Colonial New York" in *Proc.* of the N. Y. State Histl. Assn., XVI (1917), 150–64 at 151, states that the growth and expansion of the Colony of New York was retarded primarily by the policy of the great landlords in preferring leases to tenants to sales in fee to purchasers as a method of developing their property. See *The History of the Province of New-York* . . . by William Smith (London: 1757), 210, which attributes the retarding of the growth of the Colony of New York to the tyranny and extensive land grants of some of the early governors to patentees who could serve them in the Assembly. Smith continues: "and these Patentees being generally Men of Estates, have rated their Lands so exorbitantly high, that very few poor Persons could either purchase or lease them."

[41] Scharf, *West. Co.*, I: 116–18, 124–25.

between manorial proprietors and their tenants; and, to a lesser degree, a similar relationship obtained between the inhabitants and the proprietors of the larger non-manorial estates.

In the early 18th century Westchester County contained six manors, which together with Ryke's Patent covered more than half the entire County. Morrisania, Fordham, and Pelham in the south were comparatively small, but the Manors of Cortlandt, Philipsburgh, and Scarsdale together covered some four hundred square miles of the choicest land in the County.[42] Of these six manors, only one large one, that of Scarsdale, and two small ones, those of Morrisania and Pelham, are represented by name on the 1763 List of Freeholders. Scarsdale, the Manor patented to Caleb Heathcote, March 21, 1702, remained for the most part the joint holding of Heathcote's heirs until sold by partition in 1774. One of the two sons-in-law, James De Lancey, having died in 1760, the Manor was represented on the 1763 list by the surviving son-in-law, Dr. Lewis Johnston (1704–1773) and by fifteen other yeomen.[43]

Morrisania, the old Bronx land, was erected into a manor headed by Lewis Morris, (1671–1746), of New York and New Jersey, May 8, 1697. It was represented on the 1763 list by the grandson of Governor Lewis and Isabella (Graham) Morris, Lewis Morris III (1726–1798), the third Lord of the Manor, and by his kinsman James Graham, both of whom are listed as yeomen.[44]

The lands patented October 6, 1666, to Thomas Pell were devised by him to his nephew John Pell, who had them incorpo-

[42] Becker, *Hist. of Pol. Parties*, 9.

[43] Dixon Ryan Fox, *Caleb Heathcote, Gentleman Colonist; the Story of a Career in the Province of New York, 1692–1721* (N. Y.: 1926); Charles B. Wheeler, *The Heathcote Manor of Scarsdale* . . . (Baltimore: 1923,) (Order of Colonial Lords of Manors in America, N. Y. Branch, Pubns. No. 11); Scharf, *West. Co.*, I: 141-56. See also Rev. William Northey Jones. *The Hist. of St. Peter's Church in Perth Amboy, N. J.* . . . (n.p.: cop. 1924), 310–15 at 314 for the Johnston (Johnstone) branch of the family.

[44] Bibl. as given in the sketches of Gov. Lewis Morris (1671–1746), 213–14, and of Lewis Morris (1726–1798), 214–15, in *Dict. of Am. Biography*, XIII (N. Y.: 1934); Lucy D. Akerly, *The Morris Manor* . . . [Baltimore?, 1916?] (Order of Colonial Lords of Manors in America, N. Y. Branch, Pubns. No. 4).

rated, 1687, into the "lordship and manner of Pelham," and became the second owner and first Lord of that Manor. Two years later, the Manor was considerably reduced when Sir John and Rachel (Pickney) Pell sold 6,100 acres as a place of refuge for the Huguenots. This resulted in the erection of the town of New Rochelle, and contributed to the dissolution of the Manor.[45] The latter was preserved in name, if not as a manor government, however, until the death of Joseph Pell II (1740–1776), its fourth and last Lord. Joseph Pell I—will Aug. 31, proved Sept. 28, 1752—died about a month after the death of his father, Thomas Pell—will Sept. 3, 1739, proved Aug. 18, 1752—the third Lord. Consequently the Manor freeholders represented on the 1763 list were probably Joseph's brother John and his two sons John, Jr., and Josiah; Joseph's and John's two other brothers, Joshua and Caleb, as well as Joseph's son or cousin, Philip Pell.[46] New Rochelle, incidentally, was represented by fifty-seven freeholders, of whom fifty were yeomen, one was a merchant, and six were artisans.

Fordham was omitted from the 1763 list because by then it had practically ceased to exist as a manor. Patented November 13, 1671, the Manor subsequently passed to the Nether Dutch Reformed Congregation of the City of New York. Its lands were leased by this body to various persons until December 12, 1753, when an act of the legislature was passed—confirmed February

[45] The 1698 partition, later sales of Manor property and the division of the remaining Manor lands among the children of the third Lord, Thomas Pell II (d. 1752), were the direct causes of the dissolution of the Manor.—Lockwood Barr, comp., *A brief, but most complete & true Account of the Settlement of the Ancient Town of Pelham Westchester County, State of New York Known one Time . . . as The Lordshipp & Mannour of Pelham* . . . (Richmond, Va.: 1946); book review of *ibid.* by Harry C. W. Mellick in N.Y.H.S. *Quart.*, 32 (1948): 132–35; Howland Pell, *The Pell Manor* . . . (Baltimore: 1917) (Order of Col. Lds. of Manors in Am., N. Y. Br., Pubns. No. 5); Bolton, *West. Co.*, II: 27–102; Scharf, *West. Co.*, I: 156–57. See N.Y.H.S. *Collns.* 1895 (N. Y.: 1896) 405 and *ibid.*, 400–1 for the wills of Joseph and Thomas Pell. Joseph's will shows that his son Philip Pell was under 21 years of age in 1752.

[46] Wills of Caleb and John Pell in N.Y.H.S. *Collns.* 1898 (N. Y.: 1899), 162–64, and William S. Pelletreau, *Early Wills of Westchester Co., N. Y.* . . . (N. Y.: 1898), 298, respectively. John Pell's will, Feb. 19, proved Mar. 1, 1779, mentions a cousin Philip.

25, 1755–permitting them to be sold. The sale of lands proceeded for a period of nine years, 1756–1764, inclusive. Among the more important purchasers were Lewis Morris, Jr., whose name appears on the 1763 list as a freeholder of Morrisania; and Theophilus Hunt, Peter De Lancey, Isaac Valentine, and Walter Briggs, whose names appear on the 1763 list as freeholders of the borough of Westchester. Other purchasers may undoubtedly be accounted for either by their demise before 1763 or by their being residents of territory adjacent to Fordham.[47]

The omission of the two remaining manors from the 1763 list is largely explained for the Manor of Philipsburgh and partially explained for that of Cortlandt by Mr. John De Lancey's motion in the Provincial Assembly in November, 1769, following:

> As the Qualification required by the Act, for returning able and sufficient Jurors in the several Counties of this Colony, intirely disqualifies all the Tenants settled upon the Manor of *Philipsburgh*, and great Part of those settled upon the Manor of *Cortlandt*, in the County of *Westchester*, from serving upon Juries; which makes that Service extremely hard upon the other Parts of the County (the Manors of *Philipsburgh*, and *Cortlandt*, containing at least one third of all the Inhabitants of the said County) I therefore move for Leave to bring in a Bill, to enable and qualify the Tenants holding Lands improved of the Value of *Sixty Pounds*, either for Years or at Will, within the Manors aforesaid, to serve upon Juries, within the said County of *Westchester*.[48]

Philipsburgh Manor, therefore, was not named on the 1763 list because all of its tenants were disqualified for jury duty, presumably holding their lands for years or at will, none being so

[47] The Manor passed from John Archer through Cornelius and Margarieta (de Riemer) Steenwyck–who in 1686 became the wife of Dominie Henricus Selyns–to the Nether Dutch Reformed Congregation of the City of New York.–Harry C. W. Mellick, *The Manor of Fordham and its Founder* (N. Y.: cop. 1950).

[48] *Journal of the Votes and Proceedings of the General Assembly of the Colony of New-York. Began the 21st of November, 1769; and ended by Prorogation, the 27th of January, 1770* (New-York: Hugh Gaine, 1770), 5. Leave was granted Nov. 22, 1769.–*Ibid.*, 6. The bill was read Nov. 23, 1769, and ordered a second reading.–*Ibid.*, 6. There is no record it ever passed. Mr. Thomas moved for leave to bring in a bill to qualify such tenants in the Manor of Philipsburgh to serve as jurors in the Justices Courts held in that Manor, "where the Parties concerned in the Cause to be tried, are Tenants as aforesaid," for which leave was granted, Jan. 17, 1770.–*Ibid.*, 90. There is no record that this bill ever passed either. See Scharf, *West. Co.*, I: 91–92.

fortunate as to possess fee-farm leases. The third and last Lord of the Manor, Colonel Frederick Philipse (*c.*1720–1786), son of Judge Frederick and Joanna (Brockholls) Philipse, and his kinsman, James Van Cortlandt, were listed, together with thirteen other yeomen and a merchant, as freeholders of Yonkers.[49] The

[49] It should be noted that, presumably holding their lands for "Years or at Will," the tenants of Philipsburgh Manor were not only disqualified for jury duty but for electoral purposes as well. Another reason for the omission of Philipsburgh Manor from the 1763 list may possibly be found in the *procedure* involved in drawing up that list, which excluded Cortlandt Manor, as explained on pages 306–307 herein, for reasons which apply in a limited degree to Philipsburgh Manor. For example, in considering the tax assessment list for the Manor, it should be remembered that by its patent, "the Tennant's" of Philipsburgh Manor were allowed to "meet togeather & chose assessors within the manner aforesayd according to Such Rules . . . as are p[re]scribed for the Citty's Townes & Countys within or P[ro]vince aforesayd by the acts of generall Assembly for the defraying the Publick charge of Each respective Citty' Town' & County aforesayd & all Such Summes of mony Soe assessed or Levyed to Collect and dispose of for Such uses as the act's of generall assembly Shall Establish & appoint. . . ."—Seymann, *Colonial Charters*, 437–54 at 453. Moreover, "The Town Book of the Manor of Philipsburgh," in the New York Genealogical and Biographical *Record*, 59 (1928): 203–13, shows not only the assessors and collectors but also other civil officers chosen for the Manor in a number of town meetings, 1742–1779. County officials, therefore, would have had as little need of a list of freeholders for purposes of taxation or for the election of County officers in the case of the Manor of Philipsburgh as they would have had for Cortlandt Manor.

It is possible that "the Yonkers" may have been listed on the 1763 list because it was not a part of the Manor of Philipsburgh. Although the two Manor houses of Col. Frederick Philipse were located in Philipsburgh, now Yonkers, and in what is now Tarrytown, N. Y., he and James Van Cortlandt are named on the 1763 list with yeomen from "the Yonkers." Presumably this territory was that part of Adriaen Van der Donck's patroonship—called variously "Colen-Donck," "Jonkheers Landt," and later "the Yonkers"—that was acquired by William Betts, by George Tippett, his son-in-law, and by John Heddy (Hadden). It was located in the vicinity of the lands of James Van Cortlandt, or to the south and west of what is now Van Cortlandt Park. Frances Baxter's *The Baxter Family, Descendants of George and Thomas Baxter of Westchester County, New York* (N. Y.: 1913)—into which family William Betts (see N.Y.G. & B. *Rec.* 55 (1924): 28) and George Tippett married—gives information on the persons and property not only of Gilbert Tippett (see *ibid.*, 51 (1920): 267) and William Tippett (see *ibid.*, 50 (1919): 363), but also of Samuel Berrian (see *ibid.*, 51 (1920): 65, and 54 (1923): 44), Stillwell and Thomas Emmons and William Hadley, all of whom are named on the 1763 list as of "the Yonkers." The Vermilye family—represented on the 1763 list by three freeholders of "the Yonkers"—intermarried with the Emmons family and John Vermilye's homestead was purchased, among others, from William Betts (N.Y.H.S. *Colls.* 1901 (1902), 223–24 and 1905 (1906), 85–86). Moreover, the land of Edward Meeks—another listed freeholder—was situated on Tippett's, later Berrian's Neck (*ibid.* 1897 (1898), 101–3). See the "Plan of the Manor of Philipsburg, . . . surveyed agreeable to the . . . instructions of Isaac Stowsenburg [*sic*] & P.H.V. Cortlandt. unto John Hill 1785. With the addition of the Southern end of Colen-Donck," reproduced

Part of a 1785 survey map showing the "Southern End of Colen-Donck," which together with "Mile Square" (also shown) constituted the "Precinct of Yonkers," as lying outside the Manor of Philipsburgh. (Adapted from Scharf's *History of Westchester County*, I: opp. p. 160.)

powerful Philipse and Van Cortlandt families were linked together through the marriage of Frederick Philipse, the first

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herein, p. 302, and the "Historical Sketch Map of Kings Bridge, 1645–1783," compiled by Thomas Henry Edsall, frontispiece to his *History of the Town of Kings Bridge* (N. Y.: 1887), for the location of the lands of William Betts, George Tippett, and John Heddy (Hadden) of "the Yonkers."

The question as to whether or not "the Yonkers"—as distinguished from Philipsburgh, often referred to as Upper Yonkers—was in the Manor of Philipsburgh is a disputed one. It may be pointed out here that upon the death of its owner, the patroonship of Colen-Donck was confirmed to Mary, the relict of Adriaen Van der Donck and her then husband, Hugh O'Neale, Oct. 8, 1666. They assigned the same to Mary's brother, Elias Doughty, Oct. 30, 1666. (Edsall, *Kings Bridge*, 63–65.) In 1666/67, Doughty sold land in the southern extremity of Colen-Donck to John Archer, which was later taken into the Manor of Fordham (Seymann, *Colonial Charters*, 425–26; Scharf, *West. Co.*, II:7; Mellick, *Manor of Fordham*, 46; Edsall, *Kings Bridge*, 66–67). In July, 1668, Doughty sold most of the southern portion of Colen-Donck to William Betts, George Tippett, and John Heddy (Hadden) (Edsall, *Kings Bridge*, 67-72; Scharf, *West. Co.*, II:7); while in 1670, Doughty sold a square mile of land on the Bronx River to Francis French, Ebenezer Jones, and John Westcott, which land became known as Mile Square (Scharf, *West. Co.*, II:7). It should be noted that all of these tracts were alienated *before* the northern portion of the patroonship of Colen-Donck—which later became a part of the Manor of Philips-

Lord, to Catherine (Van Cortlandt) Dervall and through that of Catherine's brother, Jacobus Van Cortlandt, to Frederick

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burgh—was assigned by Doughty to Thomas Delavall, Frederick Philipse, and Thomas Lewis in 1672. (Edsall, *Kings Bridge*, 65–66, gives this assignment by Doughty to Delavall, Philipse, and Lewis, March 29, 1672, in the form of an indorsement inscribed on the Nicolls patent to Hugh and Mary O'Neale, Oct. 8, 1666. He notes that this assignment, while it "purports to transfer the 'Pattent and Premisses,' did not convey the whole of the latter, prior transfers of portions of the land having been made by Doughty, to Archer, Betts & Tippett, and Hadden, *ut sub*." See also Scharf, *West. Co.*, II:7.) Moreover, the Dongan patent, recorded Feb. 19, 1684/85, confirming the Doughty assignment of March 29, 1672, to John, son and heir of Thomas Delavall, Frederick Philipse and Geesie, the widow of Thomas Lewis, specifically excepts Mile Square from the lands granted and runs the southern boundary of this patent from "the North East Corner of the Purchase of Wm Betts & Geo: Tippitts & yn . . . due West . . . to the . . . South East Corner of the Purchase of John Heddy then dew North . . . thence dew West by their Purchase . . . to the North West Corner of the three hundred Acres then dew South . . . to the North East Corner of the twenty Acres Purchase of John Heddy then by the said Land West . . . to the North west Corner then by the Side of the Hill South . . . to the Land of Wm Betts and George Tippitts from thence . . . Dew West . . . to . . . the Banck of Hudsons River to the South of dogg wood brooke. . . ." (Seymann, *Colonial Charters*, 434–37 at 435–36. See the 1785 "Plan of the Manor of Philipsburg" and Edsall's "Historical Sketch Map of Kingsbridge, 1645–1783" for the southern boundary of this Patent.) Neither Mile Square nor the lands of Betts, Tippett or Heddy (Hadden), therefore, were in the Dongan patent as recorded Feb. 19, 1684/85.

The patent for the Manor of Philipsburgh, granted by Gov. Benjamin Fletcher, June 12, 1693, recites the Dongan patent, recorded Feb. 19, 1684/85, confirming the conveyance of the northern portion of the patroonship of Colen-Donck, and the subsequent purchase of the interests of John Delavall and of Gesetje Lewis and her children therein, as well as the purchase of various other tracts of land by Frederick Philipse, none of which include the lands of Betts, Tippett or Heddy (Hadden). In giving an over-all description of the Manor lands, however, the Patent states that "all the sayd Tract's & p[ar]cell's of Land," on the "East syde of Hudsons River" were "bounded to the northward by a Creek' or River . . . called . . . Knotens (*i.e.*, Croton's) River . . . Eastward . . . along the sayd Creek or River two English Miles & from thence . . . East . . . to Bronxes River & soe runing southward along the sayd Bronxes River as it runñs untill a direct west Lyne Cutteth the South side of a neck or Island of Land at a Creek or Kill called Papparinemo which divides York Island from the main' & soe along the sayd Creeke or kill as it runn's to Hudsons River wch part of the sayd Creek is called by the Indians Shorachhapak & continues dividing the sayd York Isl from the maine & soe from thence to the Northward, alongst Sayd Hudsons River untill it comes into the aforesayd Creek or River called . . . Knotens River & the salt meadow ground on the west syde of Hudsons River *are bounded and Limitted as herebefore is plainly mentioned and Expressed*." (Seymann, *Colonial Charters*, 437–54 at 449–50, italics added.) Although this over-all boundary of the Manor of Philipsburgh includes the lands of Betts, Tippett and Heddy (Hadden), the previous recital of the individual tracts acquired by Philipse specifically excludes them, and the final qualifying clause italicized in the above quotation, coming from a *Fletcher* patent may well have been inserted precisely to take care of that situation. Since the enacting or empowering clause of this Patent confirms and ratifies only the "afore recited Tract's & p[ar]cells of Land & meadow

Philipse's adopted daughter, Eva De Vries. The descendants of the latter branch are known as the Van Cortlandts of Yonkers.

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ground within the Limitts & bound's before mentioned and Expressed & Likewise the aforesayd Neck or Isl of Land called Papparinemo & the meadow thereunto belonging . . ." (*ibid.*, 451), it seems obvious that nothing in this grant conveyed the lands of Betts, Tippett and Heddy (Hadden)—*i.e.*, the southern portion of Colen-Donck called "the Yonkers"—to Philipse.

If the over-all boundary were to be taken—as most historians appear to assume—as indicating that all the contained lands were granted, there would have been no occasion to make separate mention of Paperinemo, or to refer to the severally "afore recited Tract's & p[ar]cells of Land & meadow ground" as the Patent does, for all of them were within the over-all boundary. Since it is obvious that Fletcher could not have granted to Philipse lands already owned by others, this explanation appears to be the only logical or indeed the only possible one.

Nor is this explanation vitiated by an act of the Colonial legislature dated July 1, 1713, (*The Colonial Laws of New York*, I: 782–84) to empower "Frederick Phillipse, a Minor, to Remove Kings-Bridge to a more commodious Place, . . ." which act confirmed, in an incidental manner, the "said Grant," *i.e.*, the Fletcher Patent of June 12, 1693, "and every Clause and Article thereof." If further proof were necessary, it could be found in the "Plan of the Manor of Philipsburg . . . surveyed . . . unto John Hill, 1785, *With the addition of the Southern end of Colen-Donck*." The above interpretation of the Manor grant, in fact, seems to be the only one that will explain why descendants of Betts and Tippett and the families with whom they intermarried, still owned lands in, and so were listed as freemen of, "the Yonkers" on the 1763 list. Moreover, it also explains the confusion of such historians as Scharf (*West. Co.*, II:8–9), who, in his discussion of the supposed acquisition of what he refers to as the Lower Yonkers tract by Philipse, states: "The particulars of the purchase of this tract we can not find. It is included in the grant of the great charter of June 12, 1693" (*i.e.*, the patent for Philipsburgh Manor). Then, following a discussion concerning the uncertainty of Philipse's acquisition of the island of Paperinemo also, Scharf concludes: "Be this as it may, it is at least certain that no purchase of the tract by Phillipse can now be traced." Bolton in his *History of . . . the County of Westchester*, II:659, gives extracts from the town records showing the election of officers "At a public town meeting of the freeholders and inhabitants of the Yonkers and Mile Square . . . in said Yonkers, on the first Tuesday of April, in 1756, being the day appointed by act of the General Assembly of this Province of New York, for choosing town officers. . . ." Elsewhere he states (*ibid.*, II:575) that Yonkers and the Mile Square constituted a township within the Manor of Philipsburgh until the latter was confiscated, 1779, and the present township was organized by Act of March 7, 1788. Only the Rev. Charles E. Allison in his *History of Yonkers* (N. Y., cop. 1896), page 68, without giving the source of his information, goes so far as to state that the "land of Betts, Tippett and Heddy in Lower Yonkers and the tract called 'Mile Square' were never included in the Manor, but instead constituted from about 1666 until after the Revolutionary War what was known as the 'Precinct of Yonkers.' The territory of the present city, (*i.e.*, of Yonkers) except Mile Square, was not a part of that precinct. Papirinamen was, however, a part of the manor." In partial support of Allison's contention, it should be noted that Yonkers and Philipsburgh are listed as separate civil divisions on the 1712 Census of Westchester County. See *Documentary History of the State of New-York*, edited by E. B. O'Callaghan (Albany: 1850), III:574.

From the above it appears certain that Philipsburgh Manor never did include

James Van Cortlandt, named on the 1763 list as a freeholder of Yonkers is probably Jacobus Van Cortlandt (1726/7–1781), the grandson of Jacobus and Eva (Philipse) Van Cortlandt.[50]

Difficult to explain is the omission from the 1763 list not only of the names of the few Van Cortlandt heirs residing in the Manor at the time, but also of the names of several other freeholders of Cortlandt Manor qualified for jury duty, to whom John De Lancey alluded in his motion before the Assembly in 1769.[51] The paucity of materials relating to Cortlandt Manor and the absence of any comprehensive study of the manorial system as a whole makes a certain explanation of this omission impossible at the present time. However, there is positive if not conclusive

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the land designated on the 1763 list as "the Yonkers" and roughly shown as "the Southern end of Colen-Donck" on the map reproduced herein on page 302.

[50] See Edward H. Hall, *Philipse Manor Hall at Yonkers, N. Y.; the Site, the Building and its Occupants* (N. Y.: *c.* 1912); his *Manor of Philipsborough . . .* (Baltimore: 1920,) (The Order of Colonial Lords of Manors in Am., N. Y. Branch., Pubns. no. 7) for a "Pedigree of Philipse, Philipsborough"; Scharf, *West. Co.*, I:160–160-f for the Manor patent.

[51] Although some branches of the Van Cortlandt family settled in New Jersey, such as the Skinners and Johnstons of Perth Amboy and the descendants of Stephen and Cataline (Staats) Van Cortlandt of Second River (Passaic), N. J., and others settled in various parts of New York State, such as the Van Rensselaers, Schuylers, and others, a few of the Van Cortlandt heirs resided on the Manor in 1763. Philip and Gertrude Verplanck, for example, lived in their manor house at Verplanck's Point at this time. Verplanck not only represented the Manor in the Assembly, 1734–1768, but a lease in the Van Cortlandt Papers in the N.Y.H.S., April 16, 1763, shows that Philip Verplanck was "of the Mannor of Cortlandt Gent," but that Oliver De Lancey, John Watts, and John Van Cortlandt Esqrs. were all of the City of New York, though leasing land in the Manor to Robert Lyon. Stephen De Lancey (1734/6–1795) was developing his lands in North Salem at this time, although the exact date of the building of his home on the Titicus River is not known. It was thought to have been built about 1765.–See Scharf, *West. Co.*, I:133,866. Pierre Van Cortlandt (1721–1814), also, is supposed to have been residing in the Manor House at this time. A lease dated March 25, 1762, in the Van Cortlandt Papers, N.Y.H.S., to John Demilt describes the grantor as "Pierre Van Cortlandt Esqr. of the Manor of Cortlandt . . . Executor of the last Will . . . of Philip Van Cortlandt deceased." Incidentally, this deed released about 1,578 acres of land in Great North Lot No. 6 and South Lot No. 1 south of Croton River to John Demilt, wherein he is described as being "of Sd Manor of Cortlandt Cooper," consequently a freeholder qualified for jury duty. See also the release Mar. 26, 1762, N.Y.P.L., Van Cortlandt-Van Wyck Papers, Misc. Land Papers, Box 1. The only other freeholders found as being of Cortlandt Manor were on a poll list signed by the constable and five of the principal freeholders of the Manor returning Pierre Van Cortlandt as their representative to the Assembly, Feb. 1, 1769.–Scharf, *West. Co.*, I: 126.

evidence that the reason for it may lie in the *procedure* involved in drawing up the 1763 list. The practice of basing jury lists on assessment rolls, later explicitly set forth by State law, was followed during Colonial times, as is noted in a letter which Henry Beekman wrote to Henry Livingston, May 1, 1744, saying:

> this goes with yor Sherrif Hen: Filkin who has the orders of Court To render an Exact List of all the ffre holders whereby to Strike a Jury here at New York . . . the Sherif is to take his list from the Tax list which yu are I Supose to Copy out for him . . .
>
> . . . ye list of the ffre holders must be well Sealed up & Sertified by ye Sherif & by Such person Sent to the Claerk of ye Crown Mr. G. Jos: Moore. . . .[52]

In order to obtain the tax assessment lists, which were prepared by the County assessors under warrant from the County supervisors, the sheriff would have had to apply to the County clerk or treasurer, with whom the County collectors were by law required to deposit them.[53] But the composite Westchester County tax list would not have contained the names of the freeholders of Cortlandt Manor, since a law passed December 16, 1737, provided that the freeholders of Cortlandt Manor were to be allowed to elect yearly:

> one Supersizor [*sic*] one Treasurer, Two Assessors & one Collector for the Said Mannor who Shall have the Same Power, authority, office, & Function, & do perform Execute and Serve and be Liable to the Same pains & penalties as the Supervizors, Treasurers, Assessors and Collectors of the Several & Respective Counties within this Colony. . . .[54]

There would have been no occasion, therefore, for the Manor freeholders to appear on the Westchester County list for tax purposes and neither would there have been occasion for these freeholders to appear on the County list for electoral purposes, since by a law of 1734, a Manor constable was directed to exercise the functions of a County sheriff in making returns of the Manor

[52] Misc. Mss. B[eekman], N.Y.H.S.

[53] *The Colonial Laws of N. Y.* (Albany: 1894), I: 539–42; III: 187. Acts (ch. 133) passed June 19, 1703; (ch. 720) passed Nov. 27, 1741.

[54] *Ibid.*, II: 960–62 at 961. Act (ch. 654) passed Dec. 16, 1737.

delegate to the Assembly.[55] Consequently, since the County officials had need of a list of Manor freeholders neither for tax nor for election purposes, there is no apparent reason why a list of the freeholders of Cortlandt Manor would have been accessible to Sheriff Isaac Willet of Westchester County when he was preparing his list of freeholders, from the County tax list, for jury duty in 1763. Similarly, the names of the freeholders of Ryke's Patent would have been inaccessible to Sheriff Willet. This was because that Patent, although not owned by the Van Cortlandt family, was within the limits of its Manor and, until 1770, subject to Manor jurisdiction.[56]

If the Cortlandt Manor freeholders were excluded from the Westchester County tax lists, why then were Salem and Pound Ridge represented on the 1763 list of Westchester County freeholders when one third of Pound Ridge and a much more extensive area of Salem were well within the finally established boundaries of Cortlandt Manor before being erected into towns by the Act of March 7, 1788?[57] The freeholders listed on Sheriff Willet's list as of Pound Ridge, who lived in the northern portion of that place, within the boundary of Cortlandt Manor as claimed by its heirs, themselves disclaimed Manor jurisdiction. Consequently they, together with the southern Pound Ridge residents outside of the disputed boundary, probably paid taxes to and voted for Westchester County officials. For instance, since Avery was disputing Manor claims to the title of his property, he necessarily would have considered himself a freeholder of the County rather than of the Manor. Consequently he would have seen to it that he was so listed in order to strengthen his case. This is what he evidently did. The same would hold true for other residents of the district claiming title to the lands in dispute. It

[55] *Ibid.*, II: 835–37. Act (ch. 607) passed June 22, 1734.

[56] Scharf, *West. Co.*, I: 126. In 1770, it was granted a civil organization of its own, by special act.

[57] *Laws of the State of New-York, comprising . . . the Acts of the Legislature, . . . from the First to the Fifteenth Session, inclusive.* New-York: Thomas Greenleaf, 1792), II: 151–74.

should be remembered also that the Pound Ridge lands claimed by the Manor were not only in dispute as to title but also not yet controlled by the Cortlandt family trustees appointed in 1753 who had still to recover them by the court action which occasioned the 1763 listing of freeholders. This of necessity precluded any freeholders holding title from the Manor heirs from being residents of the Pound Ridge area. The claimant freeholders in that area therefore acknowledged County jurisdiction and so appeared on County tax lists.

In the case of Salem, the western portion of which lay within the Manor, a number of the freeholders who are listed on the 1763 list as being of that place appear to have lived in the eastern portion. This was within the Oblong or Equivalent Lands ceded by Connecticut to New York, May 14, 1731, and definitely outside the Manor boundary.[55] Moreover, no residents of that portion of the Manor called De Lancey Town, which later became a part of North Salem, could have been freeholders, as Great North Lots numbers nine and ten descended from Stephen De Lancey

[55] All of the below mentioned names of people associated with the Oblong appear on the 1763 List of Freeholders as of Salem and so presumably lived outside of what they regarded as the Manor bounds. Moreover, none of the 1763 Salem freeholders who has been identified seems to have lived in that portion of Salem which lay within the Manor.

Identification of the freeholders on the 1763 list being beyond the scope of this study, it may simply be noted here, with regard to those listed as of Salem, that an Indian deed, Sept. 30, 1708, to residents of Norwalk for lands in the present town of Ridgefield, Conn., and much of the former Oblong portion of Salem, names members of the Benedict, Bouton, Brown, Ca[u]field, Haight, Keeler, Olmstead, Rockwell, Smith, and Whitney families. (*Ibid.*, I: 392–93.) In the Letters Patent granted to Thomas Hawley and Associates, June 8, 1731, for the Oblong or East Patent, the names Benedict, Brown, Hawley, Keeler, Northrup, Olmstead, Osborn, and Smith occur. (*Ibid.*, I: 399–402.) Also, an irregular quit-claim by its so-called "Proprietors," Dec. 23, 1751, releasing two tracts of land on the "Lower released ten miles of the Oblong or Equivalent lands," then undivided, as glebe lands for a Presbyterian or Independent minister, was signed by John Bouton, Ezekiel Hawley, Jonah Keeler, Benjamin Rockwell, Jabish Smith, and, among others, by members of the Bouton, Olmstead and Tongue families. This quit-claim describes the glebe land as being bounded on the west by Nathan Northrup's land (*ibid.*, I: 443 44). Moreover, members of the Church of Christ in Salem, incorporated Jan. 4, 1784, as the Presbyterian Church of South Salem, included Solomon Close, Ebenezer Grummond, Paul Keeler, and Abraham and Nathan Northrop. Gold Bouton, Josiah Gilburd, and Joseph Osborne were among its elders and Abijah Gilbert and Jacob H[a]it among its trustees. (*Ibid.*, I: 440–50. See map reproduced in John Thomas Scharf's *Westchester Co.*, II: opp. p. 536, for a plan or sketch of the town of Salem (later Lewisboro), Westchester County, in the State of New York by Benjamin Smith, surveyor, Dec. 16, 1797, showing the Presbyterian Meeting House in the central portion of the

in their entirety to his son, Chief Justice James De Lancey (1703–1760). The latter conveyed them, December 29, 1744, to his second son, Stephen De Lancey (*c.*1734/6–1795) as entailed lands which could not legally be alienated. The De Lancey Town lands within the Manor, therefore, were necessarily occupied by lessees rather than by freeholders. Moreover, by implication, none of the freeholders listed as of Salem or of Pound Ridge on the 1763 list were considered as residents of the Manor in 1769, as none of their names appear on a poll list, signed by the principal freeholders of the Manor, returning Pierre Van Cortlandt as their representative to the Provincial Assembly on February 1st of that year.[59] It appears reasonable to suppose, therefore, that the freeholders listed from Salem, like those listed from Pound Ridge, either resided outside the Manor bounds or regarded themselves as outside the Manor and so appeared on the Westchester County List of Freeholders as non-Manor residents.

Considering the paucity of material relating to Westchester County, the value of the 1763 List of Freeholders, as a census, can

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Salem Oblong; showing also the eastern boundary of Cortlandt Manor in relation to the Oblong.) The first record of Rev. Ebenezer Dibblee of Stamford in the Oblong occurred Nov. 11, 1749, when he baptized Steven, son of James and Elizabeth Slauson. (Bolton, *West. Co.*, I: 419.) James Brown of Ridgefield, subsequently of Lower Salem, one of Hawley's Company, held lots 34 and 38 as well as parts of 29 and 78, according to the Oblong Map. (*Ibid.*, I: 737–38.) The will of Samuel Coe, dated 9 day of 5th mo., 1768, proved Oct. 21, 1768, shows that he was of the Oblong, Salem, Westchester County. (N.Y.H.S. *Collns.* 1898 (1899), 226.) In general, see Bolton, *West. Co.*, I: 389–461, 733–769, and Scharf, *West. Co.*, II: 499–561, for information on the families of the Oblong of both North and South Salem, N.Y.

The basis of disputed ownership of Oblong lands may possibly derive from early agreements made between some local Indians or Indian tribes and (1) Roger Ludlow of Fairfield, Conn., Feb. 26, 1640, (2) Capt. Daniel Patrick, Apr. 20, 1640, and (3) the "Planters of Norwake," Feb. 15, 1651. These agreements, granting lands with indefinite boundaries, embraced a large portion if not the whole of what later became South Salem or Lewisboro. In 1699, the Kitchawan tribe released the same territory to Stephanus Van Cortlandt. (Bolton, *West. Co.*, I: 389–92.) It may be noted here also that among the tracts of land claimed by Philip Van Cortlandt (1739–1814), the Loyalist (see f.n. 24 above and text thereto pertaining), was one fifth of one-tenth part of an undivided right to 32,000 acres in the "East patent"—*i.e.*, the Oblong.

An excellent account of "The Oblong Otherwise Known As The Equivalent Tract . . . and How It Came Into the Possession of New York State," by Marshall H. Montgomery, was printed in *The New Canaan Hist. Soc. Annual*, III: 24–32, in June 1951, too late for use here.

[60] See f.n. 51. For information on the De Lancey family, see *The de Lanceys. A Romance of a Great Family* . . . by D. A. Story [London: 1931]; Scharf, *West. Co.*, I: 133–34; Bolton, *West. Co.*, I: 734–35.

hardly be overestimated. No general census and only one other general list of the freeholders (1779) of Westchester County is known in manuscript and none has been published between the census taken in 1710 and the Federal Census of 1790.[60] Fortunately, the 1763 list bridges this gap.

Valuable as this list is to the genealogist, its real significance lies in the glimpse it affords of mid-18th-century society in Westchester County. Although only between 20 and 25% of the white male population of this County, between 21 and 70 years of age, was eligible for jury duty[31] and of this small number about 85% were yeomen, the industrious manual laborer was not debarred from service on juries by reason of his being a carpenter, cordwainer, or blacksmith. An analysis of the 1763 list by occupations shows that of the total of 801 freeholders there were: 644 yeomen, 16 merchants, 2 tavernkeepers, 3 doctors, 2 schoolmasters,

[60] There are however a number of partial or statistical lists, so that the 1763 list takes its place among some twenty-eight lists of Westchester County interest, all but one of which are printed: 18 census records, 3 tax lists, and 7 miscellaneous lists. Of the 18 census records, 12 are statistical and 6 name the inhabitants.

The latter include: (1) the "Names of the male inhabitants at West and East chester," 1673 (Bibl. A, below, 160–61, 445–47); (2) "The names of the inhabitants . . . of Bedford," 1692 (*c:* 21); (3) the 1698 Census of the towns of Westchester, Eastchester, Fordham and vicinity, Mamoroneck, Morrisania and New Rochelle (D: 38 (1907), 129–35, 218–19; and 59 (1928), 103–7); (4) the 1710 Census (with ages) of the towns of New Rochelle and Eastchester with their districts, Bedford (previously thought to be for 1698) and a list of men between the ages of 16 and 60 (except Dutch) at Phillipsborough, Cortlandt and Rykes Patent (E: III, 571–72; and D: 38 (1907), 219–22); (5) the 1755 Census of slaves naming slave owners, including Westchester Co. (E: III, 503–21 at 510–12); and (6) the 1790 Heads of Families. (H)

The 12 statistical census lists include 3 general ones: of 1698 (E: I, 467), of 1703–1712 (E: I, 469), and of 1723 (E: I, 471); 2 broken down by sex, color, and age groups of below and above ten years of age: of 1731 (E: I, 471), and of 1737 (*Ibid.*, I, 472); and 7 broken down by sex, color, and age groups of under 16, between 16 and 60, and above 60 years of age: of 1712 (E: III, 574); of 1746 (E: I, 472); of 1749 (*Ibid.*, I, 473); of 1756 (*Ibid.*); of 1771 (*Ibid.*, I, 474); of 1782 (partial list; J: intro., viii); and of 1786 (*Ibid.*).

The tax or assessment lists include the 1675 assessment roll of Westchester and of Eastchester (B: XIII, 488–89); the 1683 assessment roll of Westchester (B: XIII, 574); and the 1779 Tax List of the Co. of Westchester made pursuant to an act of the Legislature of the State of New York passed Mar. 2, 1779 (G).

The 7 miscellaneous lists include 3 petitions or addresses: of the Protestants of the Province of New York to King William, 1701 (B: IV, 933–42 at 938); of the inhabitants of the Province of New York to Lord Cornbury, 1702 (B: IV, 1005–9 at 1007); and the Petition of members of The Church, New Rochelle to the Venerable Society, 1743, (C: 642–43); muster rolls of 5 companies of militia in Upper Westchester Co. (Cortlandt Manor), 1760 (D: 37 (1906), 201–2, 266–67; and 38 (1907), 15–16, 87–88); an Oath of Allegiance taken by the inhabitants of five towns of

23 weavers, 2 hatters, 6 tailors, 24 cordwainers, 26 carpenters, 3 masons, 2 joiners, 2 smiths, 19 blacksmiths, 4 sadlers, 1 bolter, 6 millers, 2 millwrights, 3 curriers, 1 tanner, 1 ropemaker, 7 coopers, 1 boatman, and 1 bricklayer. There was no caste system here. If, then, the 1763 list shows a civilization but slightly less undemocratic than that of their ancestors, it does indicate a fluid one; one in which opportunity is implicit in the demands and needs of the New World. Scholars, therefore, should welcome this extant record which not only provides new source material for a sparsely documented locality, but stands as a further testament to the weaknesses and strengths of the Colonial precedents upon which the great American experiment with democracy was founded.

Westchester Co., 1698 (D: 59 (1928), 66–68); the "Association Oath Rolls of the British Plantations," pr. W. Gandy (1); and the List of 115 Persons in Westchester Co. who took the Oath—plus 2 Quakers who took the Affirmation—of Allegiance [1777] (L: 1, 618–19).

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(H) *. . . Heads of Families at the First Census of the United States taken in the Year 1790, New York* (Wash: 1908), 195–209.

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The above lists are based on a compilation made by Miss Rosalie F. Bailey, for the use of which grateful acknowledgement is herewith made.

[61] See f.n. 36.

A 1763 LIST OF THE FREEHOLDERS IN WESTCHESTER COUNTY

In the Borrough of Westchester

Nathaniel Underhil	Yeoman	Edward Stevenson	Yeoman
John Williams	Yeoman	Daniel Quinby	Yeoman
Peter De Lancey	Yeoman	John Hunt Jun^{r}	Yeoman
John Oakley	Yeoman	Augustin Drake	Yeoman
Ichabod Lewis	Merchant	James Lewis	Yeoman
John Pugsley	Yeoman	John Ferris	Yeoman
Stephen Hunt	Yeoman	James Ferris	Yeoman
Nathaniel Underhil Jun^{r}	Yeoman	Joseph Palmer	Yeoman
Robert Hustis	Weaver	Philip Palmer	Yeoman
William Betts	Tavernkeeper	Enoch Hunt	Yeoman
John Genter	Yeoman	Moses Mullineux	Yeoman
Isaac Oakly	Yeoman	Joseph Mullineux	Yeoman
Basil Bartow	Merchant	Thomas Lawrence	Yeoman
John Bartow	Merchant	Joseph Embree	Carpenter
Aaron Quinley	Yeoman	John Embree	Yeoman
Gilead Honeywell	Yeoman	Samuel Embree	Yeoman
Bartholomew Hadden	Yeoman	Cornelius Hunt	Yeoman
Israel Underhil	Yeoman	Theophilus Hunt	Yeoman
Joseph Avery	Carpenter	David Hunt Jun^{r}	Yeoman
Edward Huchins	Yeoman	William Bond	Carpenter
John Smith	Carpenter	John Hedger	Yeoman
John Hichcock	Cordwainer	John Leggit	Yeoman
Hezekiah Ferguson	Yeoman	Robert Hunt	Yeoman
Hezekiah Jewel	Yeoman	Robert Hunt Jun^{r}	Yeoman
John Ferguson	Yeoman	John Leggit Jun^{r}	Carpenter
Stephanus Hunt	Yeoman	William Leggit	Yeoman
David Hunt	Yeoman	Gabriel Leggit	Yeoman
John Williams Jun^{r}	Yeoman	Cornelius Willett	Yeoman
Walter Brigs	Yeoman	Thomas Hunt	Yeoman
Charles Vincent Jun^{r}	Yeoman	Daniel Seccord	Yeoman
Leonard Vincent	Yeoman	Richard Morris	Yeoman
Theophilus Bartow	Yeoman	Johannes Vermilia	Weaver
Anthony Bartow	Yeoman	Benjamin Corsa	Yeoman
Israel Honeywell	Yeoman	Peter Bussin	Yeoman
John Hunt	Yeoman	Isaac Vallentine	Black Smith
Joseph Castain	Yeoman	John Archer	Yeoman
John Smith	Yeoman		

In the Manor of Morrisania

Lewis Morris	Yeoman	James Graham	Yeoman

In the Yonkers

Frederick Philipse	Yeoman	Stilwill Emmons	Yeoman
James Van Cortlandt	Yeoman	Isaac Vermilia	Yeoman
Samuel Berrian	Yeoman	Isaac Vermilia Jun[r]	Yeoman
William Tippit	Yeoman	William Betts	Yeoman
Gilbert Tippit	Yeoman	Garret Brown	Yeoman
Edward Meeks	Yeoman	Evert Bussin	Merchant
William Hadly	Yeoman	Peter Nodine	Yeoman
Thomas Emmons	Yeoman	John Vermilia	Yeoman

In East Chester

Edward Burling	Yeoman	Nehemiah Hunt	Weaver
Samuel Freedwell	Yeoman	Isaac Butler	Merchant
Gilbert Ferris	Yeoman	Joseph Fowler	Yeoman
Peter Ferris	Yeoman	Thomas Butler	Sadler
Caleb Ferris	Yeoman	Lewis Guion	Black Smith
George Sands	Yeoman	Charles Vincent	Black Smith
Charles Hunt	Yeoman	Isaac Dulhagen	Yeoman
Elathan Hunt	Yeoman	Thomas Wright	Doctor
Andrew Burpo	Weaver	Adolp Waldron	Bolter
John Pine	Yeoman	David Johnson	Brick Layer
Edmund Ward	Yeoman	John Betts	Sadler
Abraham Archer	Yeoman	Thomas Fisher	Weaver
Israel Pugsley	Yeoman	Solomon Fowler	Yeoman
Edward Barton	Yeoman	Jonathan Fowler	Yeoman
Stephen Ward	Yeoman	David Hustis	Yeoman
Israel Pinckney	Yeoman	John Hustis	Yeoman
Elihu Archer	Yeoman	John Crookstone	Sadler
John Ward	Yeoman	Abraham Fincher	Carpenter
James Morgan	Yeoman	John Archer	Weaver
Caleb Morgan	Yeoman	Stephen Fowler	Yeoman
Jonathan Pinkney	Yeoman	Timothy Hunt	Yeoman
Valentine Archer	Weaver	Andrew Fowler	Yeoman
John Townsend	Yeoman	David Fowler	Yeoman
Benjamin Drake	Yeoman	Jonathan Archer	Yeoman
Thomas Ward	Yeoman	Joseph Drake	Yeoman
William Pinckney	Yeoman	Benjamin Hunt	Yeoman
Thomas Pinckney	Yeoman	John Fowler	Tavernkeeper
Thomas Pinckney Jun[r]	Yeoman	William Baker	Yeoman
William OBrien	Yeoman	Thomas Farrington	Yeoman
Gilead Hunt	Yeoman	William Odell	Yeoman
John Fowler	Yeoman	Samuel Snethen	Yeoman
John Fowler Jun[r]	Yeoman	Edmund Fowler	Yeoman
Henry Fowler	Doctor	David Oakley	Yeoman

Michael Smith	Yeoman	Abraham Rich	Yeoman
Philip Jones	Yeoman	Henry Norris	Yeoman
Moses Taylor	Yeoman		

In New Rochelle

John Erno	Yeoman	John Schureman	Yeoman
Benjamin Bound	Yeoman	John Percut	Yeoman
Samuel Juliet	Yeoman	James Pugsley	Yeoman
John Barright	Yeoman	Frederick Scureman	Yeoman
David Lispenard	Yeoman	Oliver Besly	Yeoman
John Burtine	Yeoman	Michael Onara	Yeoman
Moses De S^{t} Croix	Yeoman	David Guion	Yeoman
Jacobus Bleeker	Yeoman	James Secord	Yeoman
Sovereign Bolt	Yeoman	Stephen Reno	Yeoman
Henry Cotant	Yeoman	Joseph Anthony	Yeoman
Isaac Guion	Yeoman	Moses Clarke	Yeoman
Daniel Angevine	Yeoman	Jacob Scureman	Yeoman
Elias Guion	Black Smith	Abel Devoo	Yeoman
Peter Baddo	Yeoman	Abel Devoo Jun^{r}	Yeoman
Alexander Allaire	Yeoman	John Martin	Merchant
Edward Smith	Yeoman	James Pine	Yeoman
Peter Flandero	Black Smith	Peter Bonett	Yeoman
Elias Flandero	Black Smith	Joshua Solice	Yeoman
Benjamin Flandero	Black Smith	Peter Bonett Jun^{r}	Yeoman
Isaac Guion Jun^{r}	Yeoman	Cornelius Devoo	Yeoman
John Barright	Yeoman	Frederick Devoo	Yeoman
Philip Rishee	Yeoman	Charles M^{c} Crady	Yeoman
Jacob Hallicott	Yeoman	Peter Percut	Yeoman
Daniel Secord	Yeoman	Jeremiah Scureman	Yeoman
Paul Secord	Yeoman	James Secord Jun^{r}	Yeoman
Jacob Cotant	Yeoman	William Londrine	Mason
John Baddo	Cordwainer	Joseph Rodman	Yeoman
Peter Secord	Yeoman	James De Blais	Yeoman
Isaac Cotant	Yeoman		

In the White Plains

Gabriel Lynch	Yeoman	Moses Owen	Yeoman
Robert Graham	Merchant	John Travis	Yeoman
Elisha Budd	Yeoman	Peter Hatfield	Yeoman
William Hooker Smith	Yeoman	Caleb Griffin	Black Smith
Jonathan Purdy	Yeoman	Samuel Purdy	Yeoman
Isaac Oakley	Yeoman	Joseph Horton	Carpenter
David Horton	Yeoman	Monmouth Hart	Yeoman
Caleb Horton	Yeoman	Joseph Hart	Yeoman
Samuel Haight	Yeoman	Anthony Miller	Yeoman

John Hosear	Black Smith	Gilbert Hatfield	Yeoman
Jacob Griffin	Yeoman	Elatham [?] Haight	Yeoman
Elisha Purdy	Yeoman	Elisha Horton	Yeoman
Caleb Hyat	Yeoman	Jonathan Purdy Junr	Yeoman
Joseph Lyon	Yeoman	Ebenezer Boyd	Cordwainer
Bartholomew Gidney	Yeoman	Isaac Purdy	Taylor
Benjamin Lyon	Cooper	Daniel Ferris	Yeoman
Joseph Purdy	Yeoman	James Budd	Yeoman
John Fisher	Yeoman	Peter Hugford	Yeoman
Abraham Hatfeild	Yeoman	Amos Travis	Yeoman
James Kniffin	Cordwainer	William Colegrove	Hatter
Joshua Hatfeild	Yeoman	Gerardus Drake	Carpenter
John Horton	Miller	Gilbert Drake	Yeoman
Jeremiah Coon	Weaver		

In the Manor of Pelham

John Pell	Yeoman	Benjamin Rylander	Yeoman
John Pell Junr	Yeoman	John Barns	Yeoman
Josiah Pell	Yeoman	Isaac Barns	Carpenter
Samuel Rodman	Yeoman	Benjamin Palmer	Yeoman
Joshua Pell	Yeoman	Caleb Hunt	Yeoman
Caleb Pell	Yeoman	William Willet	Yeoman
Philip Pell	Yeoman	John Wollie	Yeoman

In Mamarow Neck

Benjamin Griffin	Yeoman	Thomas Nelson	Yeoman
Joseph Griffin	Yeoman	Rueben Bloomer	Yeoman
John Townsend	Merchant	Benjamin Palmer	Yeoman
Samuel Fairwether	Cordwainer	Josiah Disbrow	Yeoman
Isaac Gidney	Yeoman	John Palmer	Miller
Peter Ally	Yeoman	Drake Palmer	Yeoman
James Horton	Merchant	James Boyd	Yeoman
Henry Disbrow	Yeoman	Robert Coles	Yeoman
James Mott	Yeoman	Edward Merrit	Yeoman
William Mott	Yeoman	William Lownsbury	Yeoman
William Sutton	Yeoman	John Barker	Yeoman
Daniel Barker	Yeoman		

In the Manor of Scaresdale

Lewis Johnston	Yeoman	Peter Cornel	Yeoman
Eleazar Gidney	Yeoman	Joseph Cornel	Yeoman
William Barker	Yeoman	John Gidney	Yeoman
William Griffin	Yeoman	Jonathan Griffin	Yeoman
Benjamin Cornel	Yeoman	Benjamin Townsend	Yeoman

Andrew Hill	Yeoman	Levine Devoo	Yeoman
John Veal	Yeoman	John Ferris	Yeoman
Joseph Hadden	Yeoman	Hezekiah Cudney	Yeoman

In Rye

John Thomas	Yeoman	Thomas Merritt	Yeoman
Isaac Carpenter	Yeoman	Henry Taylor	Carpenter
David Halstead	Yeoman	John Haviland	Yeoman
Richard Barns	Yeoman	Benjamin Haviland	Yeoman
Nathan Fields	Yeoman	Benjamin Wilson	Yeoman
Thomas Veal	Yeoman	Samuel Brown	Yeoman
Anthony Feilds	Yeoman	Thomas Lyon	Yeoman
Samuel Barns	Yeoman	Andrew Lyon	Yeoman
Daniel Merrit	Yeoman	John Lawrence	Yeoman
Roger Park	Yeoman	Joseph Galpin	Yeoman
Robert Bloomer	Yeoman	Benjamin Kniffin	Yeoman
Joshua Brundige	Yeoman	Nathan Merritt	Yeoman
Joseph Merrit	Yeoman	Ebenezer Brown	Yeoman
Jonathan Kniffin	Yeoman	Nathaniel Brown	Yeoman
Stephen Sherwood	Yeoman	Peter Brown	Yeoman
James Seaman	Carpenter	Joseph Merrit	Yeoman
Griffin Gale	Cordwainer	John Edy	Weaver
John Slaughter	Carpenter	Joseph Merrit Jun^{r}	Cooper
William Willett	Yeoman	Nathan Kniffin	Yeoman
Gilbert Willett	Yeoman	Andrew Merrit	Yeoman
Solomon Purdy	Yeoman	Samuel Lyon	Yeoman
John Clap	Yeoman	Daniel Hawkshurst	Merchant
Joseph Sutton	Yeoman	William Crooker	Miller
Thomas Sutton	Yeoman	Gilbert Miller	Yeoman
Amos Kniffin	Yeoman	Gilbert Lyon	Yeoman
Samuel Treadwell	Yeoman	Joseph Wilson	Yeoman
Thomas Halstead	Yeoman	Joseph Brundige	Yeoman
William Dusenbury	Yeoman	John Purdy	Yeoman
Benjamin Ferris	Yeoman	John Thomas Junior	Yeoman
Isaiah Maynard	Yeoman	John Cromell	Blacksmith
Jeremiah Fowler	Merchant	George French	Yeoman
Jeremiah Fowler Jun^{r}	Blacksmith	Peter Totton	Yeoman
James Haviland	Yeoman	Edward Farington	Cordwainer
Samuel Haviland	Yeoman	Thomas Farington	Yeoman
Daniel Lewis	Weaver	Betts Chatterton	Yeoman
Jothan Wright	Carpenter	Marmaduke Palmer	Tanner
William Anderson	Yeoman	John Brown	Cordwainer
Joseph Stedwell	Yeoman	Thomas Lyon Jun^{r}	Yeoman
Thomas Howil	Yeoman	Lewis Marvan	Yeoman
Solomon Merrit	Mason	Abraham Bush	Yeoman

Robert Merit	Carpenter
Thomas Marsh	Currier
Thomas Park	Yeoman
Thomas Carpenter Junr	Yeoman
Christopher Isinghart	Yeoman
Josiah Fowler	Yeoman
Israel Seaman	Yeoman
Nathan Purdy	Yeoman
James Stevenson	Yeoman
John Guion	Blacksmith
Nicholas Haight	Yeoman
Job Hadden	Yeoman
John Crawford	Yeoman
Peter Jay	Yeoman
Daniel Purdy	Yeoman
Joshua Purdy	Yeoman
Hachaliah Purdy	Yeoman
Charles Theal	Yeoman
Joseph Haviland	Yeoman
Daniel Strang	Yeoman
Thomas Sawyer	Taylor
Caleb Purdy	Yeoman
Joseph Hayns	Ropemaker
John Doughty	Yeoman
Gilbert Brundige	Yeoman
Ebenezer Kniffin	Yeoman
John McCollum	Yeoman
Thomas Kniffin	Weaver
Henry Bird	Yeoman
Abraham Theal	Yeoman
Gilbert Merrit	Yeoman
James Wetmore	Yeoman
Benjamin Brown	Yeoman
William Haight	Yeoman
Jonathan Brown Junr	Yeoman
Joseph Theal	Yeoman
James Hart	Yeoman
Maurice Smith	Yeoman
Isaac Gidney	Black Smith
Caleb Gidney	Carpenter
James Gidney Junr	Carpenter
James Horton	Yeoman
Gilbert Bloomer	Yeoman
Archibald Telford	Yeoman
Joseph Miller	Yeoman
Lyon Miller	Yeoman
Mathew Hayns	Yeoman
Daniel Hayns	Yeoman
James Gidney	Yeoman
James Hayns	Yeoman
Godfrey Hayns	Yeoman
Alexander Hunt	Boatman
Ezekiel Halsted	Yeoman
Thomas Brown	Yeoman
Hachaliah Brown	Yeoman
Jonathan Brown	Yeoman
Roger Park Junr	Yeoman
Timothy Wetmore	Yeoman
James Purdy	Blacksmith
David Haight	Yeoman
Daniel Knapp	Yeoman
Moses Purdy	Yeoman
Roger Purdy	Yeoman
William Purdy	Yeoman
Underhill Merrit	Yeoman
Samuel Haight	Yeoman
Benjamin Brown	Yeoman
Daniel Brown	Yeoman
William Brown	Yeoman
Zebediah Brown	Yeoman
Michael Chatterton Jur	Yeoman
James Miller	Yeoman
Jonathan Polden Horton	Yeoman

NORTH CASTLE

Samuel Banks	Yeoman
Benoni Plat	Yeoman
John Bundle	Yeoman
John Banks	Yeoman
John Armstrong	Yeoman
Jeremiah Newman	Yeoman
Gabriel Worden	Cordwaner
David Brundige	Yeoman
Josua Lounsbury	Yeoman
Phineas Knap	Weaver
Peter Totten	Cordwainer
Jonathan Owen	Carpenter

Zabulon Dickenson	Weaver
Caleb Haight	Yeoman
Caleb Fowler	Yeoman
John Carpenter	Miller
Nathan Sniffen	Yeoman
Albert Ogden	Cooper
David Daton	Doctor
Thoˢ Fle[w]welling	Yeoman
Benjamin Smith	Yeoman
Josua Hutchins	Merchant
Andrew Purdy	Carpenter
Nat: Brundige	Yeoman
Thoˢ Purdy	Yeoman
Thoˢ Baker	Cooper
David Lane	Yeoman
Wᵐ Simmonds	Weaver
Solomon Palmer	Smith
Richard Hutchins	Cordwainer
Still Jnº Purdy	Yeoman
James Leggett	Merchant
Gilbert Palmer	Yeoman
Joseph Golding	Yeoman
Thoˢ Hopkins	Yeoman
Anthʸ Tripp	Yeoman
Timothy Carpenter	Yeoman
Thoˢ Weeks	Currier
Jnº Powel	Currier
John Seales	Yeoman
Samuel Cheesman	Weaver
Thoˢ Wright	Cordwainʳ
Elijah Miller	Yeoman
Absalom Smith	Yeoman
James Miller	Yeoman
James Tripp	Yeoman
John Worden	Cordwainer
Aaron Forman	Black Smith
Wᵐ Forman	Yeoman
Roger Lyon	Yeoman
Jonathan Lyon	Yeoman
John Ferris	Yeoman
Jacob Carpenter	Carpenter
Charles Haight	Carpenter
Caleb Green	Yeoman
Joseph Washburn	Wever
Andrew Merrit	Yeoman
Jnº Wright	Yeoman
Francis Wright	Yeoman
Elias Clapp	Yeoman
Archelaus Carpenter	Cordwainer
Michael Hays	Merchant
Robert Renolds	Carpenter
Benjamin Thorn	Yeoman
William Hunt	Yeoman
Josiah Cock	Yeoman
Joseph Fowler	Yeoman
Aaron Forman Junʳ	Yeoman
John Brundige	Yeoman
David Anderson	Yeoman
Robᵗ Fle[wwe]lling	Yeoman
Hugh Hunter	Yeoman
Benjamin Hall	Yeoman
Wᵐ Dusenbury	Yeoman
Jaˢ Baldwin	Carpenter
Jnº Green	Yeoman
Moses Quinby	Yeoman
Wᵐ Ogden	Cooper
Robert Dickenson	Yeoman
James Weeks	Yeoman
Robᵗ Davenport	Yeoman
Abel Weeks	Yeoman
John Green	Cordwainer
Samˡ Hallock	Yeoman
Joseph Sutton	Yeoman
Jnº Wood	Yeoman
William Weeks	Yeoman
John Brown	Millwright
Edmund Green	Yeoman
Moses Powel	Yeoman
James Purdy	Yeoman
David Tuttle	Yeoman
Nathaniel Tompkins	Yeoman
Arthur Williams	Yeoman
Isaac Lunsberry	Yeoman
John Brady	Yeoman
Thoˢ Thorn	Yeoman
William Davis	Yeoman
Michael Chatterton	Yeoman
John Carpenter	Hatter
Thos. Merrit	Yeoman

BEDFORD

Nathan[l] Ingerson	Yeoman	Tho[s] Maynard	Yeoman
Nathan[l] Warring	Weaver	Ebenezer Miller	Yeoman
Jacob Miller	Yeoman	Ezra Warring	Yeoman
Nathan Wood	Yeoman	Ephraim Warring	Yeoman
Michael Waring	Yeoman	John Maynard	Cordwainer
Daniel Mills	Yeoman	Daniel Newman	Yeoman
Benjam[n] Miller	Yeoman	John Merrit	Yeoman
John Holms	Yeoman	Daniel Smith	Yeoman
Hezekiah Holms	Yeoman	Tho[s] Rustle	Weaver
Joseph Holms	Cordwainer	Lewis M[c] Donold	Yeoman
Daniel Miller	Yeoman	Abraham Caufeild	Weaver
James Holmes	Yeoman	Isaac Miller	Yeoman
Stephen Holms	Yeoman	Ebenezer Holms	Yeoman
Justus Miller	Yeoman	Solomon Holms	Yeoman
John Miller	Yeoman	John Wescot	Yeoman
Zebediah Mills	Yeoman	W[m] Hill	Yeoman
John Forman	Blacksmith	Encrease Miller	Yeoman
James Lord	Taylor	John Smith	Yeoman
Abraham Miller	Yeoman	Joseph Caufeild	Yeoman
Tho[s] Foreman	Yeoman	David Mills	Yeoman
Andrew Mills	Yeoman	James [R]aymond	Yeoman
Isaac Holms	Yeoman	Joseph Clark	Yeoman
Jonathan Lyon	Yeoman	Ephraim [R]aymond	Yeoman
Israel Lyon	Joiner	Moses Christy	Yeoman
Gilbert Miller	Yeoman	William Woolsey	Yeoman
John Bull	Yeoman	Stephen Fowler	Yeoman
John Elliot	Taylor	Ebenezer Haight	Yeoman
Sam[l] Trowbridge	Cordwainer	Frederick V Cortland	Yeoman
Jerediah Caufeild	Yeoman	James Wright	Mill Wright
William Frost	Weaver	Daniel M[c] Donold	Yeoman
Benjam[n] Kniffin	Yeoman	Richar Woolsey	Yeoman
Cornelius Smith	Yeoman	Henry Dusunbury	Yeoman
Jeremiah Miller	Coopper	Caleb Sands	Yeoman
Zabulon Burchall	Yeoman	Thomas Bay	Mason
Silas Carpenter	Joiner	Joseph Owen	Yeoman
Ezekiel Harris	Yeoman	Tho[s] Charteck	Yeoman
David Clark	Yeoman	Robert Knolton	Yeoman
Jonathan Miller	Yeoman	Nehemiah Lounsbery	Yeoman
William Robinson	Yeoman	Zurabable Haight	Yeoman
Abraham West Cot	Yeom[n]	Jonathan Tyler	Yeoman
Ebenezer Ward	Merchant	Eli Seely	Yeoman
Daniel Haight	Yeoman	Zebulen Crean	Blacksmith
John Silonan	Yeoman	Stephen Clark	Yeoman
Nathan[l] Clark	Yeoman	David Holms	Yeoman

Abraham Higgins	Yeom[n]	James Miller	Yeoman
Samuel Barritt	Yeoman	Silas Miller	Yeoman
Marcus Mosman	Yeoman	John Dingee	Yeoman
Richard Searle	Yeoman	Abraham Barritt	Yeoman
Ezekiel Griffin	Yeoman	Richard Honeywell	Yeoman
Samuel HoneyWell	Yeom[n]	Ammon Fowler	Yeoman
Elijah Bugby	Yeoman	Rich[d] Kitchum	Blacksmith
W[m] Williamson	Yeoman	Mathew Fontaign	Yeoman
Josua Mead	Yeoman	Nathan Caufeild	Yeoman
Michael Basset	Yeoman		

SALEM

Mathew Bowton	Schoolmast[r]	Tho[s] Laurence	Yeoman
Hezekiah Bowton	Miller	Joseph Monroe	Yeoman
Gold Bowton	Yeoman	Nathan Northrop	Merchant
Amos Benedict	Yeoman	Nathan Northrop	Yeoman
Ebenezer Brown	Carpenter	Isaac Neman	Smith
Pettet Baxter	Yeoman	Abraham Northrop	Yeoman
Peter Benedict	Yeoman	Isaac Northrop	Yeoman
James Brown	Yeoman	John Osburn	Yeoman
Ephraim Coley [Corey?]		Nathan Osburn	Yeoman
	Blacksmith	Joseph Osburn	Yeoman
Samuel Coo	Taylor	Ezekiel Olinstead [Olmstead?]	
Solomon Close Jun[r]	Yeoman		Yeoman
Nathaniel Close	Yeoman	Nathan Purdy	Yeoman
Benjamin Close	Yeoman	David Palmer	Yeoman
Israel Chapman	Yeoman	Elias Palmer	Yeoman
David Canfeild	Yeoman	Benjam[n] Rockwell	Yeoman
Daniel Dixon	Yeoman	Ezra Bundle	Weaver
Hezekiah Doolittle	Yeoman	John Rusco	Yeoman
Barnabas Doolittle	Yeoman	Abraham Smith	Weaver
Josiah Foster	Cordwainer	Jabez Smith	Cooper
Josiah Gilbert	Yeoman	Nathan Smith	Yeoman
Jacob Haight	Yeoman	Nehemiah Stebbins	Yeoman
Ebenezer Grummer	Cordwainer	Peter Shereman	Yeoman
Abijah Gilbert	Yeoman	Daniel Seward	Yeoman
Jabez Hull	Yeoman	Sam[l] Seward	Yeoman
Ezekiel Holly [Holey?]	Yeoman	Eliphalet Slason	Yeoman
Abner Haight	Yeoman	Gershom Sillack	Yeoman
Tho[s] Hays	Yeoman	Jesse Trusdell	Yeoman
Abraham Haight	Yeoman	Elihu Townsend	Yeoman
Lott Keeler	Yeoman	James Tongue	Yeoman
Paul Keeler	Yeoman	Joseph Trusedell	Yeoman
Jonah Keeler	Yeoman	John Whitney	Weaver
John Loader	Yeoman	Ebenezer Wood	Cordwainer

Nathan Wood	Yeoman	James Wallice	Yeoman
Jn° Wallice	Yeoman	James Wallice	Yeoman

POUND RIDGE

Johial Weed [Wild]	Yeoman	Ebenezer Green	Yeoman
Ebenezer Boutton	Yeoman	John Boutton	Yeoman
John Dixon	Yeoman	David Waterbury	Yeoman
Archelaus Crawford	Yeoman	William Jarvis	Yeoman
James Ferris	Yeoman	Joseph Scribner	Cordwainer
Ebenetus Howe	Yeoman	Israel Lockwood	Yeoman
John Boutton	Yeoman	Thos Butson	Miller
Jacob Wood	Carpenter	Saml Ambler	Yeoman
Jeremiah Scofeild	Yeoman	David Miller	Yeoman
Daniel Waterbury	Yeoman	Abraham Ambler	Yeoman
Jno. Crawford	Cordwainer	Samuel Lewis	Sadlor
Joseph Lockwood	Yeoman	John Ferris	Cordwainer
Reuben Lockwood	Yeoman	Stephen White	Yeoman
Ebenezer Scofeild	Yeoman	John Ambler	Yeoman
John Guthrie	Carpenter	Saml Ferris	Yeoman
Ebenezer Brown	Yeoman	John Haight	Yeoman
Elephalet Brown	Yeoman	Peter June	Yeoman
Ebenezer Lockwood	Yeoman	Thadeus Haight	Yeoman
Robert Andrews	Taylor	Benjamin Jones	Yeoman
Nathaniel Fancher	Yeoman	Ebenezer Jones	Yeoman
Hezekiah Wood	Yeoman	George Mc Onneal	Schoolmastr
Robert Crawford	Yeoman	John Fancher Junr	Yeoman
Saml Wood	Carpenter	Jn° Fancher	Yeoman
Elisha Avery	Yeoman	John Brown	Yeoman
John Pratt	Yeoman	Nathaniel Boutton	Yeoman
William Woolsey	Yeoman	Saml Boutton	Yeoman
John Craws	Yeoman	Jahiel Boutton	Yeoman
David Palmer	Yeoman		

James Jackson e[x]
dem John Watts
& others [vs.]
Elisha Avery

} A List of the Freeholders in the County of Westchester returned into the Clerks office according to a Rule of the Supreme Court in this Cause

February 28 1763

By

Is: WILLET SHERIF

Secretary's Office New York 4 March 1763
A true Copy Examd
Gw Banyar D Cl Cr

BOOK REVIEWS AND NOTICES

The People's General: The Personal Story of Lafayette. By David Loth. (New York: Charles Scribner's Sons, 1951. 346 pages, biblio., index, frontis. $3.50.)

If, after reading the very fine book on Lafayette by Mr. Loth, you still feel he was more than human, go right ahead—we won't stop you. It is the best biography we have seen and instead of a review it is easier to write a résumé for the benefit of possible readers in the Society. Here it is.

Lafayette was born fabulously rich, blessed with good health. The less said about his youth the better, and his marriage was a "mercantile arrangement." He was not impressed with his King, Louis XVI, nor his Queen, Marie Antoinette, and like all Frenchmen he had no use for England. He had only a vague idea of America but when he read about a thing called "Independence" and a bunch of farmers chasing a lot of English regulars he was tickled. Of course Lafayette wondered what all the shooting was for, but he soon grasped the idea and it didn't take long for him to declare to family and friends, "I am going to America, come what may."

Now, that was something for a lad to say, whose father was dead and who scarcely knew his mother, for, notwithstanding his King was supposed to be father to all orphaned noblemen, Mr. Loth says that old Louis was "almost as bad a father as he was a King." This didn't augur well for a boy who always needed someone to lean on, but adventure was in his blood and upon the death of his mother, who left him a couple of million dollars income annually, tax exempt, he lost no time in purchasing a ship to carry him to America.

He landed at Georgetown Bay, S.C., on June 13, 1777. From there, after nine hundred miles of overland travel during a month of hardships, he reached Philadelphia only to find that he was not wanted. Nothing daunted, however, Lafayette sat down and wrote to John Hancock, President of Congress: "After the sacrifices I have made, I have the right to demand two favors: one to serve at my own expense: the other is to begin my service as a volunteer." There was no getting away from that, so on July 31st Congress "Resolved that his service be accepted and that in consideration of his zeal, illustrious family and connexions, he have the rank and commission of Major General in the Army of the United States."

That settled it—and, as Washington was passing through Philadelphia, he invited the Marquis to join him and his staff at dinner; it was a good dinner, plenty of everything, nothing left out, and Washington treated him as one of the family. Think of this, will you? Lafayette, a boy of nineteen, made a Major General without ever having seen a battle or conducting a maneuver; yet he handled himself well, stated to Washington

that he wanted to learn and felt confident that he would give a good account of himself in action. He hadn't long to wait. During the battle of Brandywine, he was wounded in the leg and Washington admonished his own physician, Dr. John Cochran, to "Treat him as though he were my son." Could anything be better? Although in the day before anaesthetics the dressing of wounds was agony, a good soldier "bit the bullet" and clenched his teeth. Lafayette was a good soldier.

And "America must be free." He could see his own glory was identified with that and he thought it better than anything France had to offer; besides, wasn't Washington kindly disposed? He certainly took an interest, even to inquiring how his wife was coming along—anyway, here is what the Marquis wrote her: "The news of your confinement will be received with joy by the army, and above all by him who commands it." So everybody was happy and Lafayette himself was proving himself no slouch as a young General and linguist. Listen to this report from a little reconnoitering party he commanded: "We pushed the hessions back and we made them run very fast—british reinforcements came twice to them but they went alwais back—I understand that they have had between 25 and 30 wounded & at least that number killed—We got yet this day 14 prisoners—We left one single man killed & only five of ours were wounded—the conduct of our soldiers is above all praises. I never saw men so merry—I returned to them my very sincere thanks this morning."

Pretty good going for an unemployed reserve Captain in France! Even so, Mr. Loth says, Lafayette put on the pressure thusly to Washington: "Consider, if you please, that Europe and particularly France is looking upon me. That I want to do some thing by myself, and justify that love of glory which I left be known to the world in making those sacrifices which have appeared so surprising, some say foolish." It worked: a few days later he got a division and Washington gave him a body of Virginians. First camp? Valley Forge.

After the battle of Saratoga there was a conspiracy afoot, called the Conway Cabal, the chief figures of which were Generals Gates, Conway, and Wilkinson. The purpose was to oust Washington from supreme command of the Continental forces, and Lafayette was invited to join, but Mr. Loth makes very plain his loyalty, by printing the letter he sent to Washington: "I don't need telling you," Lafayette wrote, "how I am sorry for all what happens since some time. . . . I see plainly that America can defend herself if proper measures are taken and now I begin to fear that she could be lost by herself and her own sons. . . . I thought that here almost every man was a lover of liberty and would rather die free than live slave. . . . Then I entertained the certitude that America would be independent in case she would not lose you. . . . if you were lost for America, there is nobody who could keep the army and the revolution for six months"—and much more to the same point, for Lafayette was a great letter-writer. But Washington was an excellent judge of sincerity

and, while recognizing that Lafayette was "an ardent lover of laurels," he trusted him and acknowledged his letter on December 31, 1777, saying: "It will ever constitute part of my happiness to know that I stand well in your opinion. . . . I have no doubt that everything happens for the best, that we shall triumph over our misfortunes and in the end be happy; when, my dear Marquis, if you will give me your company in Virginia, we will laugh at our past difficulties and the folly of others; and I will endeavour by every civility in my power, to shew you how much and how sincerely I am your affectionate and obedient servant." Could anybody write a better letter or one more wholesome and affectionate?

And now came a time for Lafayette to return to France. Washington granted leave and Congress presented him with a sword and passed resolutions in his honor, which the Marquis didn't mind a bit; in fact he revelled in it and would soon show France what a real hero was like. And it must be said that, France having joined us in the war, Lafayette, upon arrival home, was a popular figure. He hobnobbed with Benjamin Franklin and John Adams, dolled himself up with lace and jewels, and even wrote: "I had the honor of being consulted by all the ministers and what was far better, embraced by all the ladies." He was never one to hate himself. Then came an event of which he was justly proud: his wife Adrienne bore him a son, and the first person Lafayette informed was Franklin, adding that his son would be named George Washington as a tribute of respect and love for my dear friend."

All France was by now for helping America get her freedom and Lafayette wrote the Ministry that forty-three hundred of the right kind of men would do the trick—hardy fellows who could "bear fatigue, live on little, put on no airs, do without pleasure, women and letters from Paris for a year"—and of course he did not believe there was anyone better qualified to command these French troops than himself. But he didn't get the job. The Count de Rochambeau was selected, given the rank of Lieutenant General so he would not have to take orders from anyone except Washington, and even Lafayette, arriving in America five days ahead of Rochambeau, didn't take exception, though he lost no time in writing Washington: "Here I am, my dear general. . . . I came from France on board of a fregatt which the king gave me for my passage. I have affairs of the utmost importance that I should at first communicate to you alone."

And so it went, with Lafayette retaining the trust and affection of Washington, selected as one of the judges of Major André at Tappan, winning back Virginia from the British with "the best troops that ever took the field," and, above all, learning the management of men. He was on the job at Yorktown and in on the surrender of Cornwallis, after which he wrote to one of his French friends, with the strains of "Yankee Doodle" floating away on the October breezes: "The play is over and the fifth act has just ended." You bet the war was finished! When Lafay-

ette reached France in January of 1782 "crowds were dancing in the streets and almost mobbed the carriage when they saw the American uniform."

As Mr. Loth says, it was pleasant to be a hero and hailed as one of the founders of a new nation, but as the years passed by, no longer accompanied by big events, they dragged. This, however, could not last indefinitely: France was not like that. Lafayette had taken a stand for "constitutional monarchy," but as this did not suit the temper of the people he fled from his command on the frontier into the arms of the coalition against France which promptly clapped him into jail as a "dangerous revolutionary." There he spent his days pacing the "few steps across his gloomy cell" or lying on his hard prison bed, deprived of any communication with the outside world. But "the efficiency of his jailers was not up to complete suppression of a man whom prison guards sometimes looked upon with sympathy." He was "as American as a Fourth of July oration," he wrote upon one occasion, and he never gave up his dream of getting out of jail and reaching America—"that fatherland of my heart." Fortune aided him in escaping from prison but he was recaptured before getting very far, clamped back and locked away this time for the duration, his fortune sequestered and turned into worthless paper money, so that the whole Lafayette family, once rich, was broke.

There was a new regime in France soon though. Napoleon Bonaparte was the boss and he elected to use his influence to have Lafayette freed, providing the latter would not return to France; so the whole family with their friends and servants were given their freedom and delivered in Hamburg. When, later, having returned to France, Lafayette expressed his warm thanks to Napoleon, the latter remarked: "I don't know what the devil you had done to them, but they hated to let you go," and Lafayette did not refuse the pension of 6000 francs a year to which his retired rank entitled him, as he settled down to the life of a farmer at his country place "La Grange." There his devoted wife died, and in a letter to Jefferson Lafayette wrote that "her tenderness, her goodness, the delicacy, the generousity of her spirit charmed, adorned, honored my life."

While Lafayette mourned at La Grange, he quietly resumed the life of a country gentleman. This went on with some interruption until 1821, when a young lady named Fanny Wright came upon the scene. She had visited America and had published a book called *Views of Society and Manners in America* which advocated the vote for women and the emancipation of the blacks. She believed that "there could and would be a world in which no man acknowledged a master—and no woman either—and where everyone worked for the sheer joy of achievement, and all were rewarded justly as well as amply." Did Lafayette fall for this kind of stuff? You bet he did! And when he ran for reëlection to the French Chamber on that platform he was defeated. So, with nothing to keep

him in France and with a letter from President Monroe inviting him to visit America and putting a frigate at his disposal, he couldn't resist the invitation, though he chose to come as a passenger on the American merchant ship *Cadmus*, accompanied by his son George, a friend, and a secretary.

Of course, he was nearly killed with kindness, but he liked it, stayed for a year, and nothing could stop the speeches. His secretary, Levasseur, "marveled that every little cluster of miserable shacks could boast a full-tongued orator," but that's the way it was and Lafayette just ate it up: stopped at the Hermitage to listen to Andrew Jackson tell him about the future of the country, sailed up the Hudson in one of the new steamboats, was in Charleston to celebrate his first glimpse of America, made a visit to Monticello where Jefferson and Madison received him and together talked for a week or more. When Lafayette came away he was happy in the thought that America looked brighter than ever. He even induced Chief Justice Marshall to back Fanny's plan to abolish slavery and return the Negroes to Africa.

Probably no other man could have been greeted with more downright enthusiasm. While he was in Washington a bill was passed in Congress not only to present him with $200,000 bearing interest at 6% and redeemable on December 31, 1834, but also to provide that "one complete and entire Township of land be, and the same is hereby, granted to the said Major General Lafayette." This tract of land, comprising some 25,040 acres near Tallahassee, Florida, was sold some time later for approximately $100,000, according to the best authority on the subject: Professor Kathryn T. Abbey of the Florida State College for Women at Tallahassee. We wonder why Mr. Loth did not discover the history of this grant—he does not mention it in his book, though it was part of the same Congressional Resolution. It wasn't hay either, and a dollar was a dollar those days!

And so, as Lafayette rang down the curtain on the American Revolution, maybe we should tell of his last days: After attending the funeral of one of his friends killed in a duel, he seems to have caught cold, ran a high fever, and, with all his children and grandchildren in the room, breathed his last just after dawn on May 20, 1834, at the age of 76. "Lafayette had asked to be buried beside his wife. She in turn had desired to rest in the same ground as those members of her family killed in the last days of the Terror. Hundreds of headless bodies had been thrown into a great pit at Picpus, and Adrienne had been instrumental in having a convent built there. The scene of the mass burial had become the garden, and here, in earth which he had brought from America so that he might sleep forever in American soil, Lafayette's grave was prepared." R.I.P.

The New-York Historical Society GEORGE A. ZABRISKIE

ACTIVITIES OF THE SOCIETY

April 3: Installation of High School Loan Exhibition, "New York From Meadow to Metropolis," in Forest Hills High School. Lecture for members and friends by Mr. Lloyd Morris on "Feast and Frolic in Old New York," New York's social life in the Gilded Age. Opening of an exhibit on THE VANDERBILT BALL.

April 7: High School History Program, "Statues Can Talk," illustrated lecture on John Rogers by Miss Pless, and feature film, "Centennial Summer." THESE UNITED NATIONS, film series showing "Sweden," "Turkey," and "South Africa."

April 14: School Art League Program, "Thomas Jefferson, Artist and Statesman." THESE UNITED NATIONS, film series: "Palestine"; "Liberia."

April 17: Lecture by Mr. F. van Wyck Mason on "The Novelist and Early Confederate Naval History" before the United Daughters of the Confederacy, Sons of Confederate Veterans, Civil War Round Table, and members and friends of the Society. Refreshments were served in the Rotunda and a press cocktail party and reception followed in the Board Room. Preview of special exhibition, EARLY CONFEDERATE NAVAL HISTORY.

April 19: Viewing and opening of exhibit on Simon Bolivar by representatives of South America and the United States on the day of the dedication of Simon Bolivar's statue at the head of the Avenue of the Americas, Central Park South.

April 21: THESE UNITED NATIONS, film series showing "Australia Today" and "The Philippine Republic."

April 25: Meeting in auditorium of The Order of Colonial Lords of Manors in America with showing of film, "18th Century Life in Williamsburg, Virginia." Refreshments served in Rotunda.

April 28: High School History Program, "How Early America Lived," illustrated lecture and demonstration by Miss Pless, followed by feature film, "Drums Along the Mohawk." THESE UNITED NATIONS, film series showing "Wings to Cuba and the Caribbean" and "Colombia, Crossroads of the Americas."

April 30: The National Society of Autograph Collectors, on the occasion of their 1951 Annual Meeting and Exhibition, used The New-York Historical Society as headquarters for registration and were conducted on a tour of the exhibits. Luncheon was served in Dexter Hall and an auction and business meeting were held in the afternoon.

May 1: Meeting of the National Society of Autograph Collectors: panel on "Dynamic History" with Mary E. Cunningham, Virgil Y. Russell, Earle Newton, Louis C. Jones, Otto C. Fisher, and Colton Storm.

May 2: Meeting of the National Society of Autograph Collectors: panel on "Variant Handwritings" with Gordon T. Banks, Leon de Valinger, William E. Lingelbach, Mina R. Bryan, and Ralph Newman.

Mrs. Katharine Prentis Murphy and her brother Mr. Edmund Astley Prentis at the reception and preview, May 15, 1951, standing by the portrait of their mother, Mrs. Edmund Astley Prentis, Sr., in whose memory they gave The Prentis Collection of American Colonial Furnishings. For a description of the Collection see the April *Quarterly*.

May 3: Installation of High School Loan Exhibition, "When Old New York Was Young," in Thomas Jefferson High School.

May 5: These United Nations, film series showing "Tomorrow's Mexico," "Brazil," and "Horsemen of the Pampas."

May 8: Lecture for members and friends on "A Gentleman From Geneva," the life and times of Albert Gallatin, by Dr. Raymond J. Walters, Jr. Opening of a special exhibition, Gentleman from Geneva—Albert Gallatin, Jefferson's Secretary of the Treasury.

May 15: Ceremonies in the auditorium pertaining to the newly installed Prentis Collection of Colonial New England furnishings: remarks by Mr. J. A. Lloyd Hyde and bestowal of certificates as Patrons of the Society to Mrs. Katharine Prentis Murphy and Mr. Edmund Astley Prentis, donors of the collection. Preview of the Prentis Rooms and refreshments in Dexter Hall.

May 23: Meeting of the American Pewter Collectors Society.

June 4: Annual Strawberry Festival: Mr. E. Thomas Gilliard, Assistant Curator of Birds at the American Museum of Natural History, presented a talk illustrated with color motion pictures on "Expedition to

the Heart of New Guinea in Quest of Rare Birds of Paradise." Refreshments were served in Dexter Hall.

June 25: The first of six seminars by the New York Society for General Semantics, the remaining five being held on the evenings of June 26, 28, 29 and the morning and afternoon of June 30.

June 29: Presentation of School Art League awards. Frederick J. Woodbridge, R. W. G. Vail, Wallace W. Elton, and Mrs. William H. Briggs participated in the ceremonies.

In connection with the F. van Wyck Mason lecture here on "The Novelist and Early Confederate Naval History" on April 17th and the opening of an exhibition on early Confederate naval history, Mr. Vail and Miss Barck were both interviewed with Mr. Mason on radio and television programs, Mr. Vail appearing on the "Nancy Booth Craig" radio program on WABC, April 16th, and Miss Barck appearing on the "Dorothy Doan" television program, CBS-TV on April 18th. Mrs. Landauer appeared on Margaret Arlen's program, CBS–TV, on April 25th speaking about and illustrating with samples many aspects of her Business and Professional Collections. Mr. Andrews on June 1st, addressed The Ruskin Society at Yale University on "McKim, Mead and White and the Architecture of Elegance," whose archives we own.

Marking the 150th anniversary of the appointment of Albert Gallatin as Thomas Jefferson's Secretary of the Treasury, commemorative ceremonies were held at the tomb of Albert Gallatin in Trinity Churchyard on the afternoon of May 14th and a wreath was placed on his grave. Dr. Frederic S. Fleming, Rector of Trinity Church, members of the Gallatin family, Dr. Beekman, Mr. Vail and Mr. Wayne Andrews participated.

Miss Jeanne Zeydell, a student at Columbia University's Library School, joined the staff as cataloguer on April 1st, and on June 4th Mrs. Meryle R. Evans became the new Supervisor of Public Relations, filling the vacancy created by Mr. Wall's departure.

At the June 3d commencement of Dickinson College, that venerable institution–founded in 1773–summoned our director, R. W. G. Vail, to the number of its alumni with the bestowal upon him, *honoris causa*, of the degree of Doctor of Letters. Dickinson's President William W. Edel, who read the degree citation on that occasion, was good enough to provide your editor with a copy for your interest and information in this *Quarterly*. The citation reads as follows:

ROBERT WILLIAM GLENROIE VAIL

As a bibliographer and librarian you have served the historical scholars of the United States, and served them well. You brought to completion the multi-volumed "Dictionary of Books relating to America" which Joseph Sabin began almost a century ago; more recently you have prepared a great bibliography in the very ring of whose titles one hears "The

PRESIDENT EDEL CONGRATULATING DIRECTOR R. W. G. VAIL, LITT.D.
Upon his admittance to the Degree by Dickinson College, June 3, 1951

Voice of the Old Frontier." You have been in succession librarian of the Minnesota Historical Society, of the Roosevelt Memorial Association, and of the American Antiquarian Society, then director of the New York State Library, and finally, since 1944, director of The New-York Historical Society. To this you have added, since 1947, service as an Associate in History on the faculty of Columbia University. In the highest tradition of your profession you have made the materials for American history widely available to students and interpreters of American life and thought. For this work, Dickinson is happy to summon you to the number of its alumni.

Therefore, upon recommendation of the Faculty to the Board of Trustees and by their mandamus, I admit you to the degree of Doctor of Letters, honoris causa, with all the rights, privileges and distinction thereunto appertaining, in token of which I present you with this diploma and cause you to be invested with the white hood of Dickinson College appropriate to your degree.

WILLIAM W. EDEL
The President of the College

RECENT ACCESSIONS

NEW ENGLAND day bed with flame-stitch embroidery cushions, *c.* 1700. *Gift of Mrs. J. Insley Blair.*

Twelve certificates and testimonials to Chief Inspector Thomas Byrnes (1842–1910), of the New York Police Department. *Gift of his daughter, Miss Amy Byrnes.*

Sixty-eight hotel periodicals. *Gift of Mr. Leo A. Dunn.*

Silver urn made by Baldwin Gardiner of New York and presented to Henry Eckford (1775–1832), noted shipbuilder, in 1828. *Gift of members of the family of Henry Eckford.*

Cut glass bowl presented to Albert Gallatin by Czar Alexander I of Russia. *Gift of Mrs. Charles M. Gay (Louise Gallatin), great-granddaughter of Albert Gallatin.*

Portrait of *James Lenox Banks* (1832–1883) by George A. Baker. *Gift of Mr. Prosper Guerry.*

Collection of material which belonged to Chancellor Robert R. Livingston (1746–1813), and others, consisting of books, furniture, silver, costumes and jewelry. *Gift of Mr. Goodhue Livingston.*

Eighteen letters from Fred E. Lockley, of Troy, N. Y. (donor's father), to Miss Elizabeth Campbell (his future wife), of Schuylerville, 1860–1861. *Gift of Mr. Fred Lockley.*

Original typescript of F. van Wyck Mason's historical novel *Proud New Flags* (1951), with presentation inscription to the Society. *Gift of Mr. F. van Wyck Mason.*

Two portraits, thought to be self-portraits of the artists, *James Pine* (active 1834–1859), and *Theodore Pine* (active 1847–1860). *Gift of the Methodist Historical Society.*

Six hundred and sixty-five programs of New York concerts and theatres; 22 musical periodicals; collection of clippings relating to the musical world; 19 autograph letters and documents of authors and musicians; eight pen-and-ink drawings by H. G. Laskey. *Gift of the Estate of Edna Maude Moberly.*

Collection of 244 pieces of silver lustre; set of furniture made by John Henry Belter, working in New York 1844–1865; Victorian side chair; inlaid tilt table. *Presented in memory of John Reynolds Morron and Belle Goodridge Morron, by their family, Miss Jean Morron and Mr. and Mrs. Lowell R. Burch.*

Bible (1814) which belonged to August F. Thorn, containing Thorn family records; Bible (1839) containing records of the Beach family of Brooklyn, N.Y., and Connecticut. *Gift of Mr. S. A. Peck.*

Seventy-one letters and 17 legal documents pertaining to the Radcliffe family of Rhinebeck, N.Y., in the 19th century; a genealogical table of the Sturges family. *Gift of Mrs. C.V.N. Radcliffe, supplementing previous similar gifts.*

Collection of newspaper clippings, periodicals, guide books, and catalogues; eight photographs of San Francisco and five of Salt Lake City, about 1883. *Gift of Mrs. Violet S. Rau in memory of her mother, Mrs. Theodore William Stake (Julia K. Rettberg).*

Seventy-seven Connecticut almanacs, 1778–1874. *Gift of Mr. Melvin E. Robbins.*

Eight photographs of the equestrian statue of Simón Bolivar in Central Park. *Gift of Mr. V. F. Schroeter, Vice President of the Bolivarian Society of the United States.*

Twenty-two photographs, exterior and interior, about 1929, of the Hudson River night boat *Fort Orange* (previously *C. W. Morse*). *Gift of Mr. I. S. Seidman.*

Five hundred Gallatin and Stevens family letters, late 18th and early 19th centuries. *Gift of the Estate of Josephine Lucille Stevens, granddaughter of Albert Gallatin, through her niece, Mrs. Henry W. Lanier (Josephine Ledyard Stevens).*

Three hundred and ninety-six letters, 1820–1832, from George Washington Strong (1783–1855), lawyer of New York City, to his brother-in-law, John Nelson Lloyd (1783–1841) of Lloyd's Neck, and fifty letters to and from George Washington Strong in correspondence with others, 1804–1833. *Gift of the Strong Family.*

Local historical leaflets, guide books and periodicals. *Gift of Mr. William M. Tarbox.*

Portrait of *Mrs. Daniel D. Tompkins* (Hannah Minthorn, 1781–1829) by an unidentified artist. *Gift of members of the family of Mrs. Daniel D. Tompkins.*

Oil painting, *The Forcing of the North River*, New York, October 9, 1776, painted by William Joy (1803–1857) after an original by Dominique Serres, 1778. *Gift of the Travelers Insurance Company.*

Six thousand 3″ x 5″ cards, recording photograph orders in New York City, 1900–1942, of Pirie MacDonald (1867–1942). *Gift of his daughter, Mrs. Everett Tutchings.*

Correspondence and notes of Mrs. Harold Wilson relating to the Livingston and allied families, including letters from E. Brockholst Livingston and John Henry Livingston; manuscript genealogies by Henry Brace of the Livingston and Ten Broeck families. *Gift of Miss Anne Hulme Wilson.*

Twenty-seven letters (1797–1832) from Albert Gallatin to Maria Nicholson (later Mrs. John Montgomery); letter from Hannah N. Gallatin to Maria Nicholson, 1799; letter from Ann G. Nicholson to Maria Nicholson, 1806; letter from Frances Chrystie to Maria Nicholson, 1809; letter from Elizabeth P. Bonaparte to Hannah N. Gallatin, 1841. *Gift of Mrs. Lawrence W. Wright (Bertha Eugenia Stevens), great-granddaughter of Albert Gallatin.*

Oil painting, *A Visit from St. Nicholas* by Robert W. Weir, which will be described in our October issue. *Gift of Mr. George A. Zabriskie.*